



**City of Hamilton**  
**GENERAL ISSUES COMMITTEE**  
**ADDENDUM**

**Meeting #:** 21-016  
**Date:** August 9, 2021  
**Time:** 9:30 a.m.  
**Location:** Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:  
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:  
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

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**6. DELEGATION REQUESTS**

- \*6.1. Mouna Bile, Hamilton Community Legal Clinic, respecting Item 10.7 - Report CM19006(f)-LS19031(e), Hate Flags and Symbols
- \*6.2. Ruth Greenspan, No Hate in the Hammer, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- \*6.3. Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- \*6.4. Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- \*6.5. Lily Lumsden, Hamilton Immigration Partnership Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- \*6.6. Kim Martin, Social Planning and Research Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update

- \*6.7. Sandi Bell, Hamilton Anti Racism Resource Centre, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- \*6.8. Lyndon George, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update

## 8. STAFF PRESENTATIONS

- \*8.2. Hate Prevention and Mitigation Update (CM19006(e)) (City Wide)

## 10. DISCUSSION ITEMS

- \*10.9. Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide)
- \*10.10. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide)

## 14. PRIVATE AND CONFIDENTIAL

- \*14.5. Encampment Litigation Update (LS20023(d)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- \*14.6. Legal Opinion - Jurisdiction (LS21029) (City Wide)

Pursuant to Section 9.1, Sub-sections (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

\*14.7. Indemnification of Legal Fees (LS21030) (City Wide)

Pursuant to Section 9.1, Sub-sections (b), (e), (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (b), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Submitted on Thursday, August 5, 2021 - 11:10am Submitted by anonymous user: 162.158.74.104  
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Mouna Bile

Name of Organization: Hamilton Community Legal Clinic

Contact Number: 289-489-8429

Email Address: [Bilem@lao.on.ca](mailto:Bilem@lao.on.ca)

Mailing Address:

171 Haddon Avenue North,

Hamilton ON L8S 4A7

Reason(s) for delegation request:

I would speak to the Discussion Item 10.7 Hate Flags and Symbols

(CM19006(f)/LS19031(e)) (City Wide)

and the hate prevention and mitigation initiative.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

-----Original Message-----

From: [no-reply@hamilton.ca](mailto:no-reply@hamilton.ca) <[no-reply@hamilton.ca](mailto:no-reply@hamilton.ca)>

Sent: August 5, 2021 11:22 AM

To: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Thursday, August 5, 2021 - 11:21am Submitted by anonymous user: 162.158.74.170

Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Ruth Greenspan

Name of Organization: No Hate in the Hammer

Contact Number: 905-572-0014

Email Address: [REG3consulting@gmail.com](mailto:REG3consulting@gmail.com)

Mailing Address:

100 Main Street East

Suite 203

Hamilton ON L8N 3W4

Reason(s) for delegation request:

I would speak to the Discussion Item 10.7 Hate Flags and Symbols

(CM19006(f)/LS19031(e)) (City Wide)

and the hate prevention and mitigation initiative.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, August 5, 2021 - 12:12pm Submitted by anonymous user: 172.70.34.144  
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Kojo Damptey

Name of Organization: Hamilton Centre for Civic Inclusion

Contact Number: 2899215294

Email Address: [kdamptey@hcci.ca](mailto:kdamptey@hcci.ca)

Mailing Address: 423 King Street East

Reason(s) for delegation request: Delegating on Hate Prevention and Mitigation and Hate Symbols at the August 9th GIC meeting.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, August 5, 2021 - 12:12pm Submitted by anonymous user: 172.70.34.144  
Submitted values are:

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Mailing Address: 423 King Street East

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Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, August 5, 2021 - 12:49pm Submitted by anonymous user: 172.70.131.24  
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Lily Lumsden

Name of Organization: Hamilton Immigration Partnership Council

Contact Number: 9059069300

Email Address: [lily.lumsden@ymcahbb.ca](mailto:lily.lumsden@ymcahbb.ca)

Mailing Address: 58 Liddycoat Lane, Ancaster, ON, L9G0A7

Reason(s) for delegation request: To demonstrate how a robust hate mitigation strategy aligns with the strategic outcomes sought by the Hamilton Immigration Partnership Council.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes



Submitted on Friday, August 6, 2021 - 11:10am Submitted by anonymous user: 172.70.126.201  
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Kim Martin

Name of Organization: Social Planning and Research Council

Contact Number: 905 572-0268 mobile

Email Address: [kmartin@sprc.hamilton.on.ca](mailto:kmartin@sprc.hamilton.on.ca)

Mailing Address:

350 King Street Unit 104

Hamilton, ON

L8N 3Y3

Reason(s) for delegation request: Hate Mitigation Report

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Friday, August 6, 2021 - 11:41am Submitted by anonymous user: 172.70.126.113  
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Sandi Bell

Name of Organization: Hamilton Anti-Racism Resource centre

Contact Number: 416-209-4524

Email Address: [sandi@empowword.on.ca](mailto:sandi@empowword.on.ca)

Mailing Address: 160 Delmar Drive, Hamilton, ON L9N 1J9

Reason(s) for delegation request: Hate Prevention and Mitigation  
Update

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Friday, August 6, 2021 - 11:43am Submitted by anonymous user: 172.70.126.113  
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Lyndon George

Name of Organization:

Contact Number:

Email Address:

Mailing Address:


Reason(s) for delegation request: comment on the Hate prevention  
and mitigation update at GIC on Monday

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Government and Community Relations**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Hate Prevention and Mitigation Update CM19006(e) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Pauline Kajiura (905) 546-2424 Ext. 2567
<b>SUBMITTED BY:</b>	Morgan Stahl Director, Government and Community Relations City Manager's Office
<b>SIGNATURE:</b>	

## RECOMMENDATION

- (a) That the recommendations presented in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report CM19006(e), be endorsed; and,
- (b) That staff be directed to report back to the General Issues Committee in October 2021 with an action plan to implement the City-focused recommendations outlined in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report CM19006(e)) and next steps to further equity, diversity and inclusion priorities for the City of Hamilton taking into consideration work underway, such as the Community Safety and Well-being Plan; Urban Indigenous Strategy; and other related initiatives.
- (c) That staff be directed to provide recommendations that focus on the operations of third-parties contained in the Sage Report to the relevant organizations for their consideration.

## EXECUTIVE SUMMARY

Through Council’s Equity, Diversity and Inclusion Term of Council Priority, the City commits to creating and nurturing a city that is welcoming and inclusive, where equity-seeking communities feel safe, supported and have an enhanced sense of belonging

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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through strengthened community capacity, City responsiveness, and inclusive engagement opportunities.

While Hamilton strives to be a safe and supportive city for people regardless of their race, age, background, religion, ability, sexual orientation, and gender identity, Hamilton, like many cities, also continues to be challenged by incidents of hate, racism, and discrimination.

On September 30, 2020, Council directed staff to continue community engagement efforts with the aim of having feedback inform recommended actions the City could take to address incidents of hate, racism and discrimination in Hamilton. The approved motion stated:

That City staff be directed to conduct further engagement with key stakeholders and equity-seeking groups, and develop specific recommendations, actions and resource requirements to advance the findings submitted by the project consultant and attached as Appendices A and B to Report LS19031(c)/PW19068(c)/CM19006(c) (City Wide).

Recommendations presented in this report are to advance those made by an independent consultant, Sage Solutions, who performed phases 1 and 2 of the City's community engagement activities and developed the report's findings.

Rebecca Sutherns from Sage Solutions will attend the August 9, 2021 General Issues Committee to present an overview recommendations as outlined in Appendix "A" Hamilton Hate Prevention – Final Report and Appendix "B" Hamilton Comparative Research Report Final of Report CM19006(e).

The City is currently engaged in several equity and inclusion initiatives that promote the City of Hamilton as a place that is welcoming and inclusive.

Following Council endorsement of the recommendations in this report, staff will prepare an action plan for Council's review and approval, which will be designed to further promote equity, diversity and inclusion consistent with the Term of Council Priority. This action plan will take into consideration the related strategies approved by Council and already underway. They include:

- The Urban Indigenous Strategy, which was approved by Council in July 2019. The Strategy identifies actions and charts out a path to reconciliation that aims to strengthen the City's relationship with the Indigenous community.

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- The Hamilton Anti-Racism Resource Centre (HARRC), which was established to operate independently from the City had its inaugural Board of Directors installed in February 2021.
- The Hamilton Community Safety and Well-Being Plan Advisory Plan approved by Council in July 2021, which names hate incidents as one of its six local priorities and contains a goal to reduce individual and organizational incidents of Islamophobia, anti-Black and anti-Indigenous racism, xenophobia, anti-Semitism, transphobia, homophobia, and other forms of discrimination.
- Hamilton's 10-year Housing and Homelessness Action Plan underwent its Five-Year Review in August 2020 and included plans to apply a formalized Gender Based Analysis Plus to ensure that all actions and decisions relating to housing and homelessness policy, programs, and services are effectively meeting the specific needs of the diversity of individuals and households.
- The City's internal Equity Diversity and Inclusion (EDI) workplan, which will come before Council in September 2021 and includes the development of an Equity, Diversity and Inclusion Framework.
- City staff have been invited to participate in the newly-developing Hamilton Police Service Hate Crime Review Team that will invite community members to help examine how hate-motivated incidents are considered and handled and to ensure community-based supports and resources to victims of hate-incidents.

Community consultation during this work has highlighted that hate related incidents at in the Hamilton community and have the potential to leave long lasting impacts on the individuals effected and in the communities in which they live.

### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Financial resources to implement the recommendations will be included in the action plan that staff will bring forward to the General Issues Committee for consideration in October 2021.

**Staffing:** Any staff implications related to the implementation of the recommendations will be included in the action plan that staff will bring forward to the General Issues Committee for consideration in October 2021.

**Legal:** None.

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## **HISTORICAL BACKGROUND**

On September 23, 2020, staff provided Council with recommendations along with two reports submitted by Dr. Rebecca Sutherns and her team at Sage Solutions the project consultant on research and public engagement.

Council subsequently directed staff to review options on how best to obtain feedback from a larger sample of the community with priority given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee.

The resulting second engagement phase conducted jointly with Sage Solutions, City staff and community leaders involved approximately 100 people, including six targeted focus group conversations and an online survey that generated 37 responses.

The online survey was open for eight weeks (November 16, 2020-January 8, 2021) and invited members of the public to identify up to five recommendations that they support.

Three of the focus groups involved existing Advisory Committees at the City of Hamilton: the Committee Against Racism, the LGBTQ2S+ Advisory Group and the Mayor's Roundtable on Diversity and Inclusion.

Other sessions were convened expressly to gather feedback for this project. They included a session with members of the Hamilton Police Service, City staff and ten community leaders representing equity-seeking groups. City staff held sessions with members of the No Hate in the Hammer Steering Committee and members from Jewish communities and Muslim communities.

This second stage of consultation built on initial consultation efforts, which included:

- Community Conversations on Hate Prevention and Mitigation, which took place between June 29 and July 9, 2021
- Anti-Black Racism and Hate Conversation, which took place on Wednesday, August 19, 2020
- A community survey issued between June 16 and July 15, 2020 and received 91 participants
- 10 specific conversations that took place by telephone or email at the participant's request
- Conversations with the Mayor's Advisory Table on Diversity and Inclusion

In the current report, Council is being provided with the results of the consultation, a review of other municipal jurisdictions and feedback with key stakeholders from equity-seeking groups.

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Rebecca Sutherns from Sage Solutions will attend the August 9, 2021 General Issues Committee to present the recommendations outlined in Appendix “A” Hamilton Hate Prevention – Final Report and Appendix “B” Hamilton Comparative Research Report Final of Report CM19006(e).

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

None

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Sage Solutions produced twenty recommendations informed by engagement with key stakeholders and equity-seeking groups. These are provided as follows and further detailed in Appendix “A” Hamilton Hate Prevention – Final Report and Appendix “B” Hamilton Comparative Research Report Final.

Proactive Leadership

- Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.
- Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.
- Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.
- Measure and report on progress.

Centring Communities

- Follow through with actions that support what the City has already heard.
- Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.
- Incorporate more diverse representation at decision-making tables.
- Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.
- Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.
- Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.



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- Invest in more safe community spaces.

#### Education and Early Intervention

- Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.
- Invest in placemaking initiatives that encourage diverse community interactions across groups.

#### Regulations and Enforcement

- Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property, but extending beyond that where legally possible.
- Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.
- Build a coordinated community reporting system.
- Embrace community-led responses to harm.
- Building and fostering working relationships between community organizations and Hamilton Police Service.

Several recommendations from the stakeholder engagement conducted by Sage Solutions fall outside the jurisdiction and authority of the City but are included here to ensure the feedback from the community is accurately reflected. The recommendations include:

- Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.
- Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.
- Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.
- Building and fostering working relationships between community organizations and Hamilton Police Service.

Given the nature and importance and the feedback received, City staff will ensure impacted organizations are made aware of feedback that pertains to them received during our process.

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**ALTERNATIVES FOR CONSIDERATION**

None

**NEXT STEPS**

That Council direct staff to report back in October with an action plan to implement recommendations and next steps to further equity, diversity and inclusion priorities for the City of Hamilton taking into account the workplans for related initiatives outlined earlier in the report.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

**Culture and Diversity**

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

**Our People and Performance**

Hamiltonians have a high level of trust and confidence in their City government.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” CM19006(e) Hamilton Hate Prevention - Final Report Sage Solutions  
Appendix “B” CM19006(e) Hamilton Comparative Research Report Sage Solutions



Hamilton

# Hate Prevention & Mitigation Initiative

## Recommendations Report

FINAL

April 29, 2021

Prepared by Rebecca Sutherns PhD CPF  
Sage Solutions

**sage**  
SOLUTIONS

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## Executive Summary

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This report offers 18 recommendations stemming from research and stakeholder engagement related to Hate Mitigation and Prevention in the City of Hamilton that occurred in 2020 and 2021 in response to high numbers of hate-related incidents reported to police. What started as a project focused on municipal bylaws and policies has turned its attention to a more holistic suite of interventions which, taken together, could serve not only to reduce hate but also to build proactively the kind of diverse and welcoming city that Hamilton wants to be. Those recommendations are summarized here, with further methodological and content details provided within the body of the report:

### Proactive Leadership

1. *Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*
2. *Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*
3. *Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*
4. *Measure and report on progress.*

### Centering Communities

5. *Follow through with actions that support what the City has already heard.*
6. *Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*
7. *Incorporate more diverse representation at decision-making tables.*
8. *Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*
9. *Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*
10. *Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*
11. *Invest in more safe community spaces.*

## Education and Early Intervention

1. *Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*
2. *Invest in placemaking initiatives that encourage diverse community interactions across groups.*

## Regulations and Enforcement

3. *Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*
4. *Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*
5. *Build a coordinated community reporting system*
6. *Embrace community-led responses to harm*
7. *Building and fostering working relationships between community organizations and Hamilton Police Service.*

## Background

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Hate initially and directly harms an individual and then inevitably ripples, profoundly impacting entire communities and requiring considerable work to dismantle and unlearn. Tragic events globally and here in Canada, such as the mass shooting at the Islamic Cultural Centre of Quebec City, have shown that no community is immune from the effects of hateful rhetoric. A recent poll conducted by the Canadian Race Relations Foundation found that a majority of Canadian adults polled believe the amount of hateful and racist comments and content online has increased over the past few years.<sup>1</sup> The poll also states that one in five Canadians has experienced online hate, harassment, or violence, including 40% of 18 to 29-year-olds and 29% of racialized Canadians.<sup>2</sup> Data from Statistics Canada reveals an increase in the number of police-reported hate incidents and crimes report over the last five years. Even in contexts where overall rates are stable, the intensity or seriousness of crimes is often showing an increase over time.<sup>3</sup>

In 2019, the Government of Canada committed to a three-year Anti-Racism Strategy to combat racism and discrimination that is anti-Indigenous, Islamophobic, antisemitic, anti-Black, and homophobic.<sup>4</sup> This commitment reflects an acknowledgement that throughout Canada’s history, and into today, there are people and communities who face systemic racism and hate, and that government leadership needs to do more to combat discrimination in its various forms if it wants to uphold its values of being a diverse, welcoming and inclusive. The strategy does not outright name transphobia and anti-Asian hate.

Like the federal government, municipalities have the potential to act as a catalyst for dismantling hatred in their own communities, through the creation and enforcement of regulations; visible, proactive leadership; allocation of resources to tangible improvement measures; the design of physical spaces, as well as support for and collaboration with social service agencies, police services, and grassroots organizations to work powerfully together toward more equitable and compassionate communities.

In late 2019, the City of Hamilton embarked on a Hate Prevention and Mitigation Initiative. The project was initially prompted by concern that the rates of police-reported hate crimes in Hamilton had jumped, as in 2017 Hamilton Police Services investigated 136 reported incidents of hate and bias, an increase of 18.3% from the previous year. In 2018, a total of 125 incidents

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<sup>1</sup> *Online Hate and Racism: Canadian experiences and opinions on what to do about it.* Conducted for the Canadian Race Relations Foundation. [https://www.crrf-fcrr.ca/images/CRRF\\_OnlineHate\\_Racism\\_Jan2021\\_FINAL.pdf](https://www.crrf-fcrr.ca/images/CRRF_OnlineHate_Racism_Jan2021_FINAL.pdf)

<sup>2</sup> *Online Hate and Racism: Canadian experiences and opinions on what to do about it.* Conducted for the Canadian Race Relations Foundation. [https://www.crrf-fcrr.ca/images/CRRF\\_OnlineHate\\_Racism\\_Jan2021\\_FINAL.pdf](https://www.crrf-fcrr.ca/images/CRRF_OnlineHate_Racism_Jan2021_FINAL.pdf)

<sup>3</sup> Iner, Dryer, ed. *Islamophobia in Australia Report II.* Sydney: Charles Sturt University and ISRA, 2019.  
Nathan, Julie. *Report on Antisemitism in Australia.* New South Wales: Executive Council of Australian Jewry, 2019.

<sup>4</sup> *Building a Foundation for Change: Canada’s Anti-Racism Strategy 2019-2022.* Government of Canada. <https://www.canada.ca/en/canadian-heritage/campaigns/anti-racism-engagement/anti-racism-strategy.html>

of hate and bias were reported to the Hamilton Police Service, a decrease of 8% over 2017, but a figure that still positioned Hamilton as the community with the highest number of per capita reported hate crimes in Canada by a significant margin.<sup>5,6</sup> A more recent report released in April 2021 from the Hamilton Police Services Board documented 80 reported incidents, of which 72 were hate and bias incidents and eight were hate and bias crimes.<sup>7</sup> The total number of incidents last year marked a 13.1% decrease from 2019, in which 92 incidents were reported.<sup>8</sup>

Data categorization methods vary, even between Hamilton Police Services and Statistics Canada. Moreover, reported data only includes those incidents that are reported to police services and therefore depends not only on police services' level of expertise in identifying and classifying crimes motivated by hate, but also on the community's willingness to report to police. A shift in the numbers may be related to a change in reporting practices by the public to police services (for example, as a result of outreach by police to communities or heightened sensitivity after high profile events), or it can represent a true increase in the extent of hate crimes being committed. Historically, reported numbers are lower due to chronic underreporting of hate crimes by impacted communities to police services. Feedback from the community on this most recent report reflects an understanding that although the figures are heading in the right direction, these numbers do not accurately depict the extent and severity of experiences of hate. However, even if the numbers are accurate, they are still relatively quite high and therefore cause for concern.

Statistics Canada defines hate crime as incidents that can be carried out against a person or property, based on presumed race, colour, national or ethnic origin, religion, sexual orientation, gender identity or expression, language, sex, age, mental or physical disability, or any other similar factor.<sup>9</sup> Identities are intersectional; hate can be compounded, differently impacting people based on the multitudes that identities hold. For example, Statistics Canada found that "police-reported violent hate crimes against Indigenous and Muslim populations more likely than other hate crimes to involve female victims."<sup>10</sup> In Canada, members of the Jewish, Muslim, Indigenous, Black and other racialized communities, and LGBTQ2S+ communities have been

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<sup>5</sup> Statistics Canada reported that Hamilton saw the highest rate of hate crimes (17.1 hate crimes per 100,000 population) among Census metropolitan areas in 2018, with 97 incidents. These hate crimes tended to target the Black (31%) and Jewish (26%) populations.

<sup>6</sup> *2018 Hate/Bias Statistical Report*. Hamilton Police Service. [https://develop.hamiltonpolice.on.ca/sites/default/files/2018\\_annual\\_hate\\_bias\\_crime\\_report.pdf](https://develop.hamiltonpolice.on.ca/sites/default/files/2018_annual_hate_bias_crime_report.pdf)

<sup>7</sup> *2020 Hate/Bias Statistical Report*. Hamilton Police Service. <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=266931>

<sup>8</sup> "Despite the summer of hate, Hamilton's hate incidents tumbled in 2019." *The Hamilton Spectator* (January 31, 2020). <https://www.thespec.com/news/hamilton-region/2020/01/31/despite-summer-of-hate-hamilton-s-hate-incidents-tumbled-in-2019.html>

<sup>9</sup> *Police-reported hate crime, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/daily-quotidien/200226/dq200226a-eng.htm>

<sup>10</sup> *Police-reported hate crime in Canada, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>



reported as most likely targets of hate crime, which is reflected in Hamilton’s data. Further, more recent reports detail a disturbing surge of anti-Asian hate crimes in Canada with the impetus of the COVID-19 pandemic.<sup>11</sup>

Hate is a complex issue, and addressing it requires a multi-faceted response involving multiple government levels and many community actors working together toward shared goals. The City therefore committed not only to reviewing its hate-related policies, but also to exploring ways the municipality can ensure the community lives up to the positive aspirations it holds for itself of being an inclusive and welcoming city that is the best place to raise a child and age successfully. It did so by learning from other communities’ experiences, building on previous community recommendations and listening further to the community through a multi-faceted engagement process that has unfolded throughout 2020.<sup>12</sup>

This report presents the final recommendations of the Hate Prevention and Mitigation Initiative to Hamilton’s City Council, based on findings from extensive research and community engagement as described below. It outlines tangible actions the municipality can take to combat hate in its city. That ultimate impact of hate prevention and mitigation will only occur, however, if the City goes beyond accepting these recommendations to investing in their disciplined implementation.

## Defining Hate

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This project is formally known as “the hate prevention and mitigation initiative.” Hate, hateful incidents, discrimination and even hate crimes lack a consistent definition across jurisdictions. Concerns were raised about the terminology used within this project. As one participant said, *“‘Hate’ is too general—name racism, transphobia, Islamophobia, violence etc. for what they are—hate has lost meaning and is implied to be negative in every context—it creates more distance—also individualizes it to talk about ‘behaviours’ or ‘incidents.’”* Another expressed concern this way: *“City officials have used that word ‘hate’ to describe justifiable hurt and anger directed towards institutions (such as hate for police) and equated them as the same thing as white supremacist violence.”*

A glossary of terms has been provided for reference in Appendix A. The terms “hateful behaviours” or “hate-motivated incidents” have been used to refer to a broader category than hate crimes but a more targeted category than discrimination generally. We recognize this language's limitations, as “behaviours” may only be the visible tip of a much larger iceberg of attitudes that could be called hateful or perhaps also unwelcome, non-inclusive, discriminatory

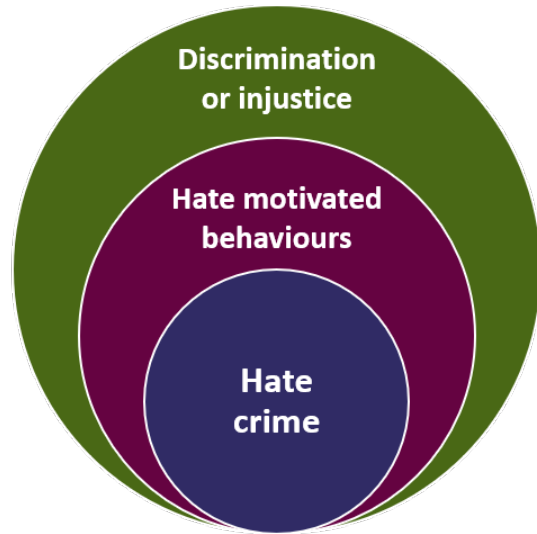
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<sup>11</sup> *New report details 'disturbing rise' in anti-Asian hate crimes in Canada.* CTV News (March 23, 2021). <https://www.ctvnews.ca/health/coronavirus/new-report-details-disturbing-rise-in-anti-asian-hate-crimes-in-canada-1.5358955>

<sup>12</sup> Refer to the consultant's [Stakeholder Engagement Summary Report](#) for details.

or biased. More accurate descriptions are used whenever possible. This project has been using the following working definitions of hate crime, hate-motivated behaviours and discrimination to inform its work:

**Hate Crime:** A criminal act that promotes hatred against identifiable groups of people, motivated by bias, prejudice or hate. Although individuals and groups that promote this destructive form of human rights-based discrimination often defend their right to “free speech,” it is a criminal offence to disseminate hate propaganda and/or to commit hate crimes.



**Hate motivated behaviour:** Any act or attempted act intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility toward the victim's real or perceived ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

**Discrimination:** Any form of unequal treatment based on a ground protected by human rights legislation that results in disadvantage, whether imposing extra burdens or denying benefits. Discrimination can be intentional or unintentional; and it may occur at an individual or systemic level. It may include direct actions or more subtle aspects of rules, practices and procedures that limit or prevent access to opportunities, benefits, or advantages that are available to others.

This project invites Hamilton to move from a narrow definition of hate as a crime to a broader understanding of hate prevention and mitigation as building blocks to achieving a welcoming, diverse and inclusive city, as expressed in *Our Future Hamilton*.

## Methodology

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Design and facilitation of stakeholder engagement was led by Dr. Rebecca Sutherns and her team from Sage Solutions ([www.rebeccasutherns.com](http://www.rebeccasutherns.com)), the Guelph-based consulting firm hired to support the City with this project, in conjunction with two community engagement staff at the City (John Ariyo and Pauline Kajiura) and local community leaders.

## Guiding Principles for Engagement

The design and implementation of this engagement process was guided by the City’s Core Principles of Public Engagement.<sup>13</sup>

1. Transparency and Trust
2. Accountability and Action
3. Inclusion and Diversity
4. Create Opportunities for Active Participation
5. Collaboration, Cooperation and Shared Purpose
6. Ongoing Engagement and Open Communication
7. Learning, Reflection and Evaluation
8. Capacity for Engagement

Specifically, this commitment led to the following decisions:

- Inviting a cross-section of community leaders to inform the initial engagement design
- Provision of a variety of accessible engagement platforms and opportunities, where possible, given pandemic restrictions
- Priority given to hearing from those most directly and frequently affected by hate in Hamilton
- Ensuring that the questions asked are meaningful and have the potential to be impactful within the City and across the wider community
- Inclusion of verbatim quotations in engagement reports, to allow residents’ words to communicate the key messages directly
- Building on relevant recommendations already communicated to the City through other consultations and community events

## Engagement Design

Careful and intentional decisions were made in the overall design of the community engagement activities, particularly due to the sensitivity of the subject matter. Certain research methodologies are better suited to eliciting input on difficult issues than others. There was a need to balance broad and deep input while choosing to centre the courageous voices of those with lived experience without seeking to retraumatize them.

The range of community engagement activities planned initially within the Hate Prevention and Mitigation Initiative were adapted in terms of their timing, breadth and formats due to COVID-19 restrictions that evolved as the project unfolded. Initial plans were made in late 2019 and early 2020, that would have involved a blend of in-person and online formats. They were informed by advice from community leaders in equity-seeking groups, as well as City

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<sup>13</sup> *Public Engagement Charter*, Hamilton’s Engagement Committee, City of Hamilton.

Councillors. Engagement was then paused and then became fully digital as the global pandemic took hold.

Fully digital engagement on a sensitive and nuanced topic presents both opportunities and challenges. The most common primary benefit of digital engagement—reach to a large number of people—likely proved truer for the Listening Sessions in this project, at which attendance was quite robust, compared to the survey, which received relatively few responses for other reasons discussed below. It is unusual to have more people participate synchronously than asynchronously in community engagement activities. Digital platforms can allow for a lot of information to be collected in a short time, through widely accessible asynchronous surveys and the chat feature in synchronous meetings. Chat allows for multiple concurrent conversation threads, which proved both to enrich and distract from the interactions in this case. It is a challenge to create trust in a virtual room for a 90-minute session comprising a mix of participants who may or may not have been known to one another previously. Digital methods also offer additional layers of anonymity less possible in in-person sessions. In this project, input was collected asynchronously using an engagement platform new to the City during COVID-19, which also introduced additional complexity.

A variety of notable events such as Black Lives Matter, the release of the independent report on Hamilton police behaviour at Pride 2019, and a general sense of stress and disconnection during COVID-19 have certainly affected this project, not only in terms of the engagement activities that occurred, but also a heightened sensitivity, awareness and level of tension around some of the issues being discussed, including systemic racism and defunding police. At the same time, other issues such as the yellow vest protests lessened in prominence over a similar time period.

## Comparative Research

Preliminary research conducted at the outset of this project in early 2020 sought to understand how other municipalities across Canada, and selected examples from Australia, England and the United States, are approaching mitigating hate and discrimination in their cities. Specifically, it explored municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviours on city property and public property, community-based tools, or proactive approaches to community building. The findings from the comparative research identified seven (7) possible approaches the City of Hamilton could take to prevent and mitigate hateful behaviour. These approaches were then presented during community engagement activities to garner feedback on which approaches would work best in Hamilton.<sup>14</sup>

## Phase 1 – Community Engagement Activities

The first phase of community engagement occurred between June and September 2020. It involved roughly 275 people in total, who participated in live "Listening Session" focus groups,

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<sup>14</sup> Refer to the consultant's [Comparative Research Report](#) for details.

telephone interviews and email correspondence, an online survey and conversations with existing committees such as the Mayor's Advisory Table on Diversity and Inclusion.

Five Listening Sessions were hosted with a total of 154 participants in attendance.<sup>15</sup> The first Listening Session was open to all community members, while the remaining four sessions targeted subpopulations known to be more likely to experience hate in Hamilton: people of faith (particularly Jewish and Muslim people), people who identify as LGBTQ2S+, Black and other racialized communities and Indigenous Peoples. This method was selected as a way to create spaces for community members to talk about their unique lived experiences of hate in Hamilton. One-on-one conversations were also conducted through telephone and email correspondence, both proactively and responsively, including with residents who self-identified as yellow vesters.

The digital survey was intended to provide an accessible means of participation for those unable to attend a Listening Session. Questions were adapted to a survey format and the link was publicized/circulated by the City. In order to participate, respondents were required to provide their email address, as a means of building a database of interested residents. Although responses were not linked back to those addresses, the project team did become aware the need to provide an email address proved to be a barrier to full participation.

During these sessions and through the online survey, participants provided vital feedback to help the City better understand people's direct experience of hate, their sense of safety, and perceptions of the extent of hate, racism, and discrimination in Hamilton. Participants weighed in on seven (7) approaches to prevent and mitigate hateful behaviour which emerged from the initial comparative research within this project. The following diagram summarizes the various activities used to gather feedback during Phase 1. Detailed feedback can be found in the [Stakeholder Engagement Summary Report](#).

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<sup>15</sup> See [invitation](#) for details.



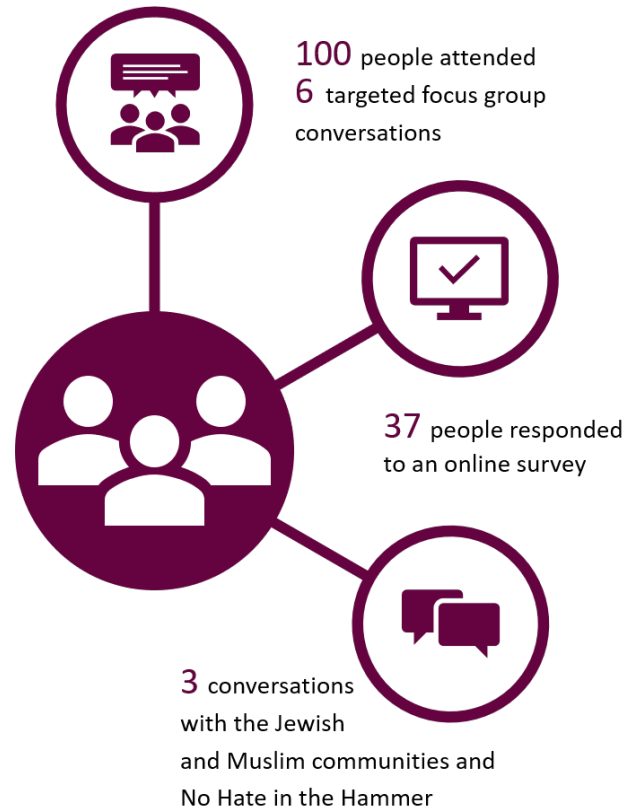
## Phase 2 – Community Engagement Activities

From September to December 2020, Sage Solutions conducted the second phase of community engagement activities. This round of engagement fulfilled a promise to the community to invite their input into draft recommendations before anything was put forward to Council for consideration. It was bolstered in response to a Council directive. In late September 2020, based on the initial community engagement results, Council requested that the City's project team and Sage Solutions explore options to gather additional community input to inform the project recommendations out of concern that the sample size was too small.<sup>16</sup>

This second engagement phase involved approximately 100 people, including six targeted focus group conversations and an online survey that generated 37 responses. The online survey was open for eight weeks (November 16, 2020-January 8, 2021) and invited members of the public

<sup>16</sup> "That staff be directed to review options as to how to obtain feedback from a larger sample of the broader community, with focus given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee." General Issues Committee Minutes 20-014. September 23, 2020. <https://pub-hamilton.escribemeetings.com/FileStream.ashx?DocumentId=243473>

to identify up to five recommendations that they support. Three of the focus groups involved existing Advisory Committees at the City of Hamilton: the Committee Against Racism, the LGBTQ2S+ Advisory Group and the Mayor's Roundtable on Diversity and Inclusion. Three other sessions were convened expressly to gather feedback for this project. They included a session with members of the Hamilton Police Service, City staff and ten community leaders representing equity-seeking groups. The diagram to the right summarizes the activities used to gather feedback during Phase 2.



In all cases in this second phase, a set of twenty draft recommendations<sup>17</sup> emerging from Phase 1 were provided to participants, and they were invited to make suggestions to strengthen them. It was made clear that the recommendations could change based on additional forthcoming data, but having something concrete to respond to was deemed helpful to focus the input during this round.

Further to the directive from Council, City staff proposed investing in a telephone poll to increase the representativeness of the input received across the general Hamilton population rather than focusing so heavily on the voluntary participation of those with lived experience of hate or their community representatives. In February 2021, Council decided based on this second phase of engagement that they had heard enough to consider the data reliable enough to use as the basis for future policy decisions, so the recommendation of a poll was dropped. City staff conducted conversations in March/April 2021 with three groups specifically identified as being underrepresented in previous attendance: representatives from Jewish communities, Muslim communities and a community organization called No Hate in the Hammer. Input received during the second phase of community input was used to revise the draft recommendation.

<sup>17</sup> Refer to the [Draft Recommendations Summary](#) for the draft recommendations.

## Findings

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### Comparative Research

Across twenty comparable municipalities across Canada, and selected examples from Australia, England and the United States, a great deal of variability exists in approaches to mitigating hate and discrimination. This environmental scan focused on approaches such as municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviours on city property and public property, community-based tools, or proactive methods to community building.<sup>18</sup>

At a local level, municipalities have a range of levers at their disposal by which to address hate-related behaviours, directly and indirectly. These include:

- Strategic planning and leadership
- Communication and community engagement
- Environmental design and maintenance of public spaces
- Community placemaking and programming (including investment in the work of community organizations)
- Public education and capacity building
- Proactive partnerships
- Regulations and policies
- Enforcement practices (including tracking and reporting; situational crime prevention; levelling consequences etc.)
- Emergency response and symbolic representation

Across the municipalities included in this report, there was a noticeable difference in tone between affirmative and punitive responses, with each community choosing where it lands on that spectrum. Moreover, it is difficult to assess the effectiveness of these various approaches. Reported hate crime rates are one important but rough measure of results, but there are multiple contributing factors to that number that do not necessarily give an accurate depiction of hate-related incidents or how safe people feel about reporting or even living in each place. Similarly, the existence of a published strategy document or piece of legislation does not necessarily speak to how well used or effective that policy or regulation has been in practice.

Despite these variabilities, the following observations emerged:

- a multi-pronged approach is needed;
- a single "one size fits all" model is not appropriate to each place;
- municipalities are able to use various levers to influence behaviour, and yet
- mitigating hate requires coordinated action well beyond municipal control;

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<sup>18</sup> Refer to the consultant's [Comparative Research Report](#) for details.



- no single municipality currently has this issue “figured out,” but Hamilton can learn from the composite experience of others.

Further, there are several elements which, taken together, create an environment in which hate is less likely to flourish. These include the following:

- Zero tolerance of hate-related behaviour—in writing, in perception and experientially
- Effective communication, including to help residents navigate how to handle hate related incident they experience and/or witness
- A supportive suite of legislation, policies, regulations and codes of conduct that are actually followed
- Broad and specific training for police in respect, diversity and recognition of hate crimes
- Public education (e.g. campaigns, values exercises, dialogue, training) to set shared community norms and expectations and to increase knowledge
- Ongoing training and workshops for municipal staff and community organizations to share best and emerging practices in building diverse, inclusive and equitable communities
- Intentional collaborative relationships across the community, including with police services
- Access to trauma-informed, culturally appropriate support for victims
- Safe, responsive and transparent reporting mechanisms that extend beyond only reporting to police services and that are well-used
- Community-wide tracking of hate-related incidents
- Crime prevention through environmental design
- Support for community groups and initiatives that promote diversity and inclusion and address root causes of discrimination
- Investment in alternative models of enforcement to achieve community safety, such as restorative justice
- Creativity and openness to meet emerging needs as they arise

Cities thrive when multi-lateral, holistic approaches are used to combat systemic problems. Based on this research, seven main categories were distilled to guide community engagement conversations and to receive feedback on possible actions for Hamilton to take. These categories include proactive leadership, listening to community, public education, creating safe and inclusive spaces, community programming, regulations, and enforcement, as shown below. Once community feedback was received, these categories were modified to serve as the structure for the final recommendations.



## Phase 1 Engagement Findings

The various sources of information from the first phase of community engagement activities revealed a considerable degree of congruence in the opinions expressed, across a range of respondents. Overall findings showed that the City of Hamilton is both building momentum and has considerable work to do to live up to its own vision and values regarding hate prevention and mitigation.

When survey participants were asked about their perception of the extent of the problem of hate in Hamilton, 55% were aware of hateful incidents, 33% stated they had been targets of a hate incident, 68% believe the situation has recently become worse in Hamilton. Further, 77% of participants in the listening sessions for groups most affected by hate deemed hate to be one of the top three priorities facing the City right now.

When asked about the sense of safety in Hamilton, 51% of survey participants indicated they had avoided activities or events because they felt unsafe while there or on their way there. Forty-two participants provided examples of feeling unsafe at events. Several people said they felt unsafe in parks, anywhere after dark, the City hall forecourt, or anywhere with police presence.

During the Listening Sessions, participants were asked to reflect on why hateful incidents happen across communities and why they happen specifically in Hamilton. Notably, ignorance, fear of difference, generationally taught hate, a cultural and political rise in divisiveness and extremism, the impact of white supremacy and colonialism, lack of investment in ending racism, and gentrification, were identified as the main catalysts of hate in communities.

The reasons cited for hate specifically in Hamilton reflected a polarized understanding of the issue. While some saw it as a problem concentrated among a relatively small number of individuals, many others provided systemic explanations rooted in colonialism and white supremacy and/or in a generational and economic legacy in Hamilton itself, as a city seen

historically as being "favourable terrain" for divisiveness. They also pointed to a lack of representation, fear, ignorance and a dislike of difference underlying what they describe as a critical issue for the City.

Within the seven categories presented for possible actions, noticeably low priority was given to regulation and enforcement, despite that having been the City's initial focus for this project. Instead, participants reported looking for proactive, visible and principled municipal leadership that is not seen as performative but rather collaborative and responsive to the needs and asks of diverse communities. There was a desire to bridge what is happening to communities and the City's response to it by valuing and using the knowledge that communities hold as an essential element of hate prevention initiatives. They want to see a follow-up on reports previously submitted rather than additional engagement at this time. They are also asking for resources to be shifted away from police enforcement and towards social services and community programming that can better support the unique needs of different communities. Lastly, they want the City to invest in safe spaces for support and dialogue. Specifically, there was a strong appetite for access to trauma-informed healing and supports.

A full report on Phase 1 engagement findings was submitted to Council and can be found here. [\(link to Stakeholder Engagement Summary Report\)](#)

## Phase 2 Engagement Findings

Overall, the high-level feedback on the draft set of recommendations presented during the second phase of engagement was overwhelmingly positive across all input channels. Respondents affirmed that the recommendations accurately reflected the key messages communicated in the initial phase of engagement and that they would make a significant difference if implemented. Descriptors such as "cohesive," "direct," "impactful" were used to describe the draft. In the online survey, support for the recommendations addressing social services, diverse representation at decision-making tables, deeper listening to those with direct experience of hate, executing an action plan to confront racism and discrimination, and building trust in Hamilton Police Services was especially strong.

The main concern expressed during this stage was that the draft recommendations were seen as "vague." There were numerous requests for them to be more concrete and measurable, in order to guide implementation more explicitly. People were craving more details on how to make these recommendations happen and accountability for making sure they do.

There remains a significant degree of skepticism regarding the likelihood of the recommendations being effectively implemented in Hamilton for a variety of reasons, including their lack of specificity, the complexity and longstanding nature of the issues, political divisions on Council and perceived history of inaction by the City on the concerns they address. Accountability mechanisms including clear roles, responsibilities, targets and timelines are therefore seen as critical in advancing their legitimacy and acceptance. Showing progress on implementation will build momentum and strengthen trust.

More specifically, additional suggestions for improvement included the following and these have been heeded to the full extent possible in the recommendations that follow:

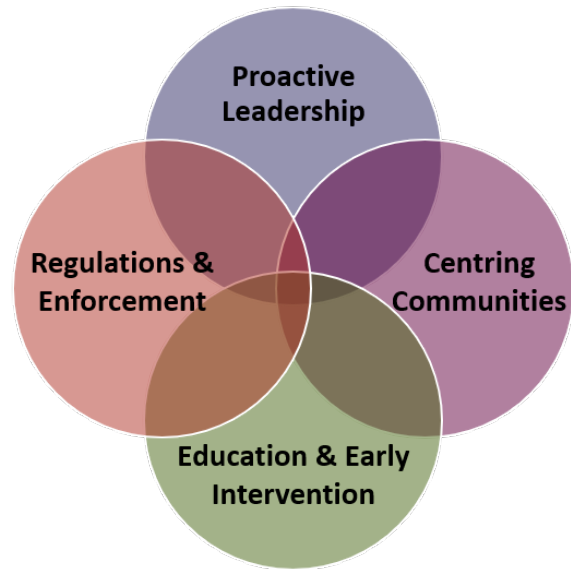
- Provide more in-depth analysis and clearer definitions of terms in the more fulsome final report, to explain the differences between, for example, "hate," "hate crimes," "hateful incidents" and "discrimination." Some people would prefer the use of more specific terms such as anti-Black racism and anti-Semitism in place of the more generic term "hate" throughout.
- Acknowledge examples of the existing efforts already underway to address many of the recommendations, by the City and community organizations, to avoid implying the process is starting from a blank slate or that community work is being co-opted or ignored by the City.
- There is a need for working groups on specific items that can monitor and generate action when implementing recommendations. Further, recommendations need more details defined around who, what, when, and how.
- Fill gaps in input from groups that experience hate in Hamilton but that have not participated actively in the engagement opportunities presented thus far. This would include reaching out specifically to representatives of the Jewish and Muslim communities and No Hate in the Hammer, for example, as well as perhaps scanning input on social media related to this project.
- Integrate more opportunities for those communities impacted by hate to talk about their experiences. For example, Jewish people to talk about anti-Semitism.
- There is no need to enlarge the sample size [as per Council's directive at the General Issues Committee meeting of September 23, 2020]. Doing so undermines the City's commitment to listen that is highlighted in the draft recommendations. People have adequately and courageously described their experiences, and this project was not intended to assess whether hate/racism/discrimination are problems in Hamilton, but rather to address them.
- Attach dollar figures to the recommendations and hold the City accountable for the results of that investment. The allocation of financial resources is seen as the true test of commitment. In addition to dollar figures in the report, there should be a total amount of dollar figures suggested to address these issues.
- There were numerous suggestions of how to improve the wording of individual recommendations to make them clearer and in several cases more assertive.

## Recommendations

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The following recommendations were initially drafted based on research and feedback gathered during the first phase of this initiative, then refined based on the feedback received on that draft during the second phase of community engagement in the fall of 2020 and initial more recent conversations as described above.

The initial seven categories of interventions identified through the comparative research have been combined into four that are particularly salient for Hamilton: **proactive leadership**, **centring communities**, **education and early intervention**, and **regulations and enforcement**, with several specific recommendations listed within each category.



These recommendations can be treated separately but will be most powerful when treated as a cohesive framework, supported by performance targets, accountability mechanisms and sufficient resources to ensure they are implemented. The comparative research showed that well-led cities integrate initiatives aimed at social inclusion, diversity, and combating hate, which overall contribute more broadly to positive city-building.

## Summary of Recommendations

### Proactive Leadership

1. *Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*
2. *Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*
3. *Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*
4. *Measure and report on progress.*

### Centering Communities

5. *Follow through with actions that support what the City has already heard.*
6. *Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*
7. *Incorporate more diverse representation at decision-making tables.*
8. *Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*
9. *Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*
10. *Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*
11. *Invest in more safe community spaces.*

### Education and Early Intervention

12. *Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*
13. *Invest in placemaking initiatives that encourage diverse community interactions across groups.*

### Regulations and Enforcement

14. *Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*
15. *Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*
16. *Build a coordinated community reporting system*
17. *Embrace community-led responses to harm*
18. *Building and fostering working relationships between community organizations and Hamilton Police Service.*

## Proactive Leadership

The community is appealing for courageous, authentic leadership that takes a stand against hate, from the City and across the city, in formal and informal ways. Timely, responsive and decisive actions are needed to demonstrate leaders' presence, self-reflection, awareness and empathy around what communities face. This commitment is seen as the first step in lessening the metaphorical distance between City leadership and residents concerned about hate in the city. This category was repeatedly identified as the most important starting point for addressing hate in Hamilton.

### **Recommendation #1:**

*Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*

Activities do not necessarily have to be illegal to be undesirable in a city. There is concern that the Charter of Rights and Freedoms, designed to support the freedom of Canadians, is being used in Hamilton as a shield to allow hate to flourish in the name of freedom of expression, upholding the freedom of some at the expense of others' safety. Hamilton could instead choose publicly to emphasize and promote values of tolerance, inclusion, justice and equity while condemning behaviours that contradict those values.

Publicly acknowledging that hate exists and is a problem in Hamilton that manifests itself in various ways is the number one step required to begin addressing it.<sup>19</sup> In order for these public acknowledgements to be seen as having integrity, they need to be supported by other aligned and concrete actions and made by leaders who have earned the public's trust.

It is recommended that the City develop a framework out of which it addresses hate crimes and incidents with defined and appropriate responses. This operational guide would include timely statements from the Mayor's Office that proactively and unequivocally condemn hateful behaviour, support communities experiencing hate and demonstrate in practical ways that the City of Hamilton is anti-hate.

Prompt and decisive action steps by Council upon approving these recommendations would be one indication of its commitment to responding to concerns to building momentum in preventing and mitigating hate in Hamilton.

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<sup>19</sup>The City of Toronto has recently been working on an action plan to confront systemic anti-Black racism. The plan has five themes, 22 recommendations and 80 actions that the City will undertake. *Toronto Action Plan to Confront Anti-Black Racism*, City of Toronto, 2017. <https://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-109127.pdf>

**Recommendation #2:**

*Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*

The City of Hamilton must not only acknowledge unequivocally that hate is a structural problem in the city, but also spell out concrete action steps to address it, several of which are outlined in the additional recommendations that follow. As the recommendations from the Gandhi 150 Conference state, "beyond the spoken word, people need a sign of solidarity in a measurable form. People need to see measurable action from the city and publicized proof of that action."<sup>20</sup>

The community wants to see investment in action, not in more research and consultation. Any action plan needs to be both led and shaped by those with lived experience of systemic inequalities. It requires timelines, performance targets, clear roles and responsibilities, completion dates, and sufficient, multi-year resources to make a system-level impact over time. Investment in this action plan will have ripple effects and positive outcomes in other areas that contribute to a thriving city. An example to consider is the Toronto Action Plan to Confront Anti-Black Racism.<sup>21</sup>

One specific component of this action plan would be for a City staff and related partners such as Hamilton Police Services, to participate in ongoing anti-oppression training and integrated in-service practices. A community effort in 2014 was involved in making Hamilton a Sanctuary City; part of this agreement was that staff from the City of Hamilton were to receive training. This recommendation has yet to be enacted, and was cited as an example of poor follow up on commitments. Reversing that decision would display tangible action on part of the City.

Another component of this action plan could be to establish community-led working groups, with resources and accountability, to move these recommendations forward in a timely and effective way.

**Recommendation #3:**

*Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*

The City could convene and/or support skillfully facilitated opportunities for candid sharing of best and emerging practices, challenges, and pathways to improvement across sectors, all with

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<sup>20</sup> *Report from the Working Groups, Gandhi 150 Conference: Waging Action on Hate and Racism in Hamilton*, October 2019. <https://www.humanities.mcmaster.ca/gandhi/onefifty/Gandhi150ConferenceSummaryReport.pdf>

<sup>21</sup> The City of Toronto recognizes its responsibility to create a city that works for all residents. Confronting and removing barriers caused by Anti-Black Racism benefits all Torontonians, especially other Toronto communities experiencing racism and marginalization.



a shared intention of aligning residents’ experiences with the values the City espouses.<sup>22</sup> This could include supporting new and existing initiatives. The City should support community voices in leading this work—not only to be heard but to direct the outcomes of a cohesive and integrated strategy across sectors over time.

**Recommendation #4:**

*Measure and report on progress.*

It is recommended that the City set tangible goals and determine performance targets that will allow for transparent reporting on progress towards the goals. For example, metrics could include resources allocated to promoting inclusion; events sponsored; third-party monitoring of interactions between Hamilton Police Services and residents; all within a comprehensive and public monitoring system that reports progress toward combatting hate.<sup>23</sup> Data collected during this initiative could serve as a partial community-wide baseline to track progress toward Hamilton living up to its aspirations of being a good city to grow old and raise a family.

## Centering Communities

Hamilton residents are looking to their local government to listen to community voices, amplify their messages, support community work, proactively build relationships with communities that are experiencing hate, and recognize community wisdom as essential to building diverse, inclusive and equitable communities. This involves inviting marginalized community members to decision-making tables, supporting community programming, and investing in safe, inclusive spaces.

**Recommendation #5:**

*Follow through with actions that support what the City has already heard.*

Engaging the community, across a range of perspectives, needs to be followed up with timely action and clear explanations of how that input has been heard, analyzed and translated into activity planning. There is a strong sense that the City has not followed up on recommendations previously made that would have made progress toward a more inclusive city well before this project began. It is therefore recommended, as a start, that the City provide detailed follow-through plans on high-profile sets of recent recommendations such as the *Pride in Hamilton* report<sup>24</sup> and this project. Engagement with no action is disingenuous; it is not only a waste of resources but can be retraumatizing for victims and erodes trust in the City. Follow-through builds trust, which is integral for constructive collaboration moving forward.

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<sup>22</sup> An example of this is the annual Diversity Symposium hosted by the City of Richmond, BC, to share best and emerging practices in building diverse, inclusive and equitable communities.

<sup>23</sup> *Report Regarding Board Motion of June 18, 2020 (BIPOC)*, Guelph Police Services Board Meeting (September 17, 2020): 40-63. <https://events.guelphpolice.ca/meetings/Detail/2020-09-17-1430-September-17-2020/038dd4a2-5015-4011-9f22-ac3800e2dd27>

<sup>24</sup> *Pride in Hamilton: An Independent Review into the Events Surrounding Hamilton Pride 2019*, Scott Bergman (Cooper, Sandler, Shime & Bergman LLP), June 2020.

**Recommendation #6:**

*Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*

Community engagement is not a one-off activity; ongoing listening is a necessary condition for change to occur. The City should value the knowledge that communities hold, particularly through the lived experiences of individuals, as an essential element of hate prevention initiatives. It is recommended that the City embed ongoing listening/reflecting/acting/reporting cycles into their practice, as a continuation of these community engagement processes and Council's February 2021 commitment to acknowledging the wisdom of those who have first-hand knowledge of the issues at hand. The City must create the space to receive critical feedback and facilitate an environment where residents feel their experiences are heard and validated. Deep listening and openness to ongoing dialogue are instrumental to building relationships and goodwill.

**Recommendation #7:**

*Incorporate more diverse representation at decision-making tables.*

It is recommended that the City make it easier for community members to access and influence what goes on municipally. Make decision-making processes more transparent to the wider community. For example, the City could explore and remove barriers that may be hindering equitable representation at decision-making tables. This includes exploring how to make various tables more impactful by paying attention to who sits on committees and how much influence they have on actual decisions, as well as reviewing the success of current City hiring practices in service of equity, diversity, inclusion and reconciliation targets.

**Recommendation #8:**

*Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*

Many community organizations are working on anti-hate initiatives in Hamilton, directly (e.g. No Hate in the Hammer) and in related areas such as anti-racism. The City can work with these community organizations to develop convergent strategies to accelerate this work and value it as an essential element not only of hate prevention but of city building. For example, the City could coordinate a unified and well-funded city-wide public education campaign that would allow Hamilton to radically change its narrative. The campaign could provide opportunities for those who have experienced hate to share their stories in a meaningful way with the broader community, training in effective ways to intervene when you see hate incidents occurring and customized, culturally responsive resources available when people are impacted by a hateful incident in the city. Current community efforts can be accelerated and amplified with City support.

**Recommendation #9:**

*Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*

Regulations and enforcement approaches were lower priorities to Hamilton residents than proactive investment in prevention to combat hate. There was an overwhelming community call for allocating resources to community services that can better support community members who are struggling, see fighting inequality as an important pathway to building community cohesion. For example, hate is often an expression of people's frustration at their primary needs not being met, including affordable housing, living wage employment, meaningful social connections and holistic health care. Redirecting funding toward investing more heavily in these social determinants of health is a proven upstream approach to addressing anti-social behaviours and building more equitable, economically vibrant cities.

Further, cities across North America are exploring alternative crisis response services for supporting situations in which people require high-priority, immediate response and a robust amount supports without police involvement.<sup>25</sup>

**Recommendation #10:**

*Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*

The current COVID-19 pandemic has created an immense strain on community organizations and services. The City should use all of the levers at its disposal to promote equity and inclusion, including its grants to community groups. The City should provide necessary financial support to trusted and embedded community organizations that are community-owned and trauma-informed and thus well-positioned to provide timely and necessary responses to hate incidents. Applications need to be simple and targeted, giving applicants the freedom to try different approaches that can better support various communities' unique needs.<sup>26</sup>

For example, the City could convene an ad hoc group of community-based organizations currently working with equity-seeking communities to provide direction on how to invest in anti-hate programming as well as re-evaluate City grants and granting processes to ensure that they are equitable and accessible. Outreach and application support are also needed to expand the range of applicants and ideas brought forward.

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<sup>25</sup> For example, Toronto has recently approved a non-police crisis response team pilot to mental health-related crisis calls. <https://www.thestar.com/news/gta/2021/04/25/toronto-approved-non-police-crisis-response-teams-this-woman-is-trying-to-build-them.html>

<sup>26</sup> For example, each year, the City of Guelph allocates grant funding to not-for-profit organizations to support the City's strategic goals, as guided by their collaboratively-developed Community Plan.

**Recommendation #11:***Invest in more safe community spaces.*

Marginalized communities need safe spaces to gather, and the City should invest in creating them, including digitally. Multi-use community hubs can be equipped with specific resources that know how best to support community members. These places can take various forms, inspired by spaces such as revitalized public libraries or the 519 in Toronto, which is an example of a community space committed to the health, happiness and full participation of the LGBTQ2S+ communities. As per the Gandhi 150 recommendations, there need to be safe spaces for everyone to be safe and heard and to acknowledge when spaces are not experienced as safe.<sup>27</sup> The City needs to consult with impacted communities to discern why current spaces are not meeting their needs. Further, safe spaces for youth are especially in demand across various communities.<sup>28</sup>

**Education and Early Intervention**

Preventative work has proven long-term benefits for building understanding and community.<sup>29</sup> Early intervention and public education are integral in communicating what kind of city Hamilton wants to be and setting citizens' expectations about the behaviours that are desirable in the city.

**Recommendation #12:***Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*

Despite education falling primarily under provincial jurisdiction, it was noted throughout this project as a necessary local response to hate.<sup>30</sup> For instance, the City can support anti-hate guest speakers and Hamilton-specific content in local schools and can use its influence to encourage the provincial government to develop anti-racist and anti-hate curriculum more broadly for the Ontario schools.<sup>31</sup>

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<sup>27</sup> *Report from the Working Groups*, Gandhi 150 Conference: Waging Action on Hate and Racism in Hamilton, October 2019. <https://www.humanities.mcmaster.ca/gandhi/onefifty/Gandhi150ConferenceSummaryReport.pdf>

<sup>28</sup> Feedback from meeting with the Muslim community expressed a need for more investment in safe spaces for youth from diverse backgrounds that are safe and have structure. Currently, there are not enough mental health resources and the social aspect within these spaces where youth from diverse backgrounds can feel safe.

<sup>29</sup> For example: *Upstream: The Quest to Solve Problems Before They Happen*, Dan Heath (Avid Reader Press / Simon & Schuster: 2020)

<sup>30</sup> For example, the 519 partnered with the Toronto District School Board to create “Families Against Homophobia,” curriculum that acknowledges children with LGBTQ2S parents.

<sup>31</sup> For example, the Guelph Black Heritage Society's #ChangeStartsNow campaign is raising public awareness and funds for the development of educational resources and programs about anti-Black racism and discrimination.

Education is not limited to schools. Bystander intervention training could be provided to any interested Hamilton residents, as a demonstration of the City’s commitment to creating a community that values diversity in practice.

**Recommendation #13:**

*Invest in placemaking initiatives that encourage diverse community interactions across groups.*

Hate is fuelled by a lack of familiarity and contact with people who are different from you. Currently, there are not enough spaces and events where diverse groups of people can interact—and feel safe doing so. Pandemic isolation has exacerbated this problem. It is recommended that the City invest in community-building, intergenerational or multicultural programming that animates the city in positive ways.<sup>32</sup> Placemaking can be a preventative, proactive activity and one that is highly appropriate for the municipality to undertake as it gives people opportunities to interact with and learn from people whose experiences are different from their own. For example, the City should encourage accessible community arts activities guided by professional artists working with residents to co-create murals, theatrical productions, spoken word performances, and other forms of art, which explore the historical, political or culture of a specific place.<sup>33</sup>

## Regulations and Enforcement

Regulations alone are not sufficient, but are one set of tools uniquely at the City's disposal and should be used to promote a welcoming and inclusive municipality and to take a stand against hate. These regulations must be accompanied by enforcement within the context of a broad-gauged accountability framework that involves accessible community reporting mechanisms, robust evaluation and transparent reporting back to the community.

**Recommendation #14:**

*Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*

Hamilton has begun to enact bylaws and other regulations that mitigate hate, and the City is encouraged to continue to do so. These could include hate-specific regulations and others that address hate indirectly. A preventative orientation is preferable over a punitive one. For instance, policies that promote positive assembly and accelerate diverse community-building events in the City forecourt are preferred over those that emphasize surveillance and protectionism.

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<sup>32</sup> For inspiration, see the New Orleans project called Paper Monuments. <https://www.papermonuments.org>

<sup>33</sup> For example, see Case Study Topic: Community Art to Reduce Urban Inequities and Gang Violence by Pasha Shabazz McKenley in [https://canurb.org/wp-content/uploads/EBPP\\_2021-03-25\\_FINAL.pdf](https://canurb.org/wp-content/uploads/EBPP_2021-03-25_FINAL.pdf)

**Recommendation #15:**

*Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*

There is a significant need to document incidents that are happening in the city to develop a better understanding of the scope of hate in Hamilton. A community mapping mechanism would help to illustrate the rates and types of hate incidents in the city.<sup>34</sup> The information generated can support the outreach and education initiatives while also disclosing to communities where incidents are taking place. This mechanism needs to be easy to find, access, and use. For example, it can be an online form where users can document hate incidents or call a support line, where someone can input their information to the online form. The mechanism could also be specific to impacted communities, for example, 'Fight Against COVID-19 Racism' is a national platform developed to report and track anti-Asian racism.<sup>35</sup>

**Recommendation #16:**

*Build a coordinated community reporting system.*

A coordinated community reporting system could be linked to the above mapping resource. It would provide culturally responsive and trauma-informed support to those reporting acts of hate and connect them with resources, and alleviate the current chronic underreporting of hate crimes.<sup>36</sup> Access to a community-owned reporting mechanism could give victims of hate incidents the possibility to file a complaint through multiple trusted community connections, such as a religious or community organization, rather than directly through the police. These reporting channels must then be linked to provide a more comprehensive and coordinated understanding of hate activity in the city that could then be publicly reported on and used to improve prevention, community supports and enforcement.

**Recommendation #17:**

*Embrace community-led responses to harm.*

The City should support and encourage restorative processes and frameworks of accountability to repair harm impacting the community. There is a deep reliance on using punitive justice as the only means to access 'justice' in society. In conjunction with local community organizations, the City could institute restorative justice processes that facilitate direct accountability for hateful actions, thereby supporting positive and lasting behavioural changes that lead to safe

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<sup>34</sup> An example of this mechanism is the StopHateAB.ca website launched by The Alberta Hate Crimes Committee (AHCC), <https://stophateab.ca>

<sup>35</sup> The Fight Against Covid-19 Racism platform was developed as a collaboration between several Chinese Canadian organizations, in response to rise in xenophobia and racism toward Asian communities during the pandemic. This platform aims to provide a space for individuals to share their experiences of racism and linking them to helpful resources, while also tracking and recording the numbers of incidents occurring across Canada. <https://www.covidr racism.ca>

<sup>36</sup> The HCCI, McMaster University and the Sherman Center for Digital Scholarship are currently developing this kind of tool and would benefit from direct support from the City.

and connected communities.<sup>37</sup> It is recommended that the City support impacted communities in the actions they want to take to engage with offenders and explore they can be supported to do so.

### **Recommendation #18**

#### *Building and fostering working relationships between community organizations and Hamilton Police Service.*

Representatives of groups that are known to experience hate in Hamilton, particularly BIPOC<sup>38</sup> and LGBTQ2S+ communities, have been clear in expressing their lack of trust in the Hamilton Police Services.<sup>39</sup> Similar reservations have been expressed by people who have experienced police involvement for other reasons, including yellow vest protesters. These concerns are situated within a broader context of differential enforcement in policing.<sup>40</sup> They both fuel and are fuelled by larger cultural conversations linked to Black Lives Matter and movements to Defund the Police. An institution designed to promote safety is seen by some as making them feel unsafe and even perpetuating harm.

Until trust in police is strengthened, their ability to enforce hateful behaviours in Hamilton is likely to lack legitimacy. This represents a vicious cycle in which mistrust itself makes both parties reluctant to do the work required to rebuild that trust. A long view is required, along with a commitment to listening and learning. HPS can continue to deepen working relationships with community organizations who are working on anti-hate initiatives to expand police understanding of their role in improving or exacerbating hate and discrimination in Hamilton.

More broadly increasing education on systemic racism, equity, justice, diversity and inclusion could be another place to start. A visible commitment to HPS training and education that then translates into changed actions can help build trust within the community and help HPS be more impactful at making the city a safer space for all. Finding ways to make policing more accountable and accessible to the public, with transparent action plans of how HPS will improve community relationships, is critical. Without persisting in addressing problematic dynamics between marginalized groups and police, the other recommendations listed here will be less effective in addressing hate in Hamilton than they otherwise could be.

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<sup>37</sup> The Coalition of Muslim Women of KW and Community Justice Initiatives is piloting a restorative approach to incidents of hate crime in Waterloo Region by offering a safe space for people to build an understanding of one another. The two organizations are working together to develop a model to apply a restorative justice approach to hate-based incidents or crimes against members of the Muslim community, particularly women.  
<https://www.kwcf.ca/news/ir2020-cji-cmw>

<sup>38</sup> Black, Indigenous, and People of Colour

<sup>39</sup> The recent inquiry into the Hamilton Police Services' role in Pride 2019 highlights the inadequacy of the HPS response to violence and has further undermined trust in police in Hamilton, or at least documented some reasons for it.

<sup>40</sup> For example, a 2018 Ontario Human Rights Commission study found that Black people are 20 times more likely to be injured or killed by police than their counterparts.

## Conclusion

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The community is longing for action and concrete plans from the City to mitigate and prevent hate in Hamilton. Residents are tired of lists of recommendations that have been not led to changed behaviours, beginning at City Hall. performative actions and is craving genuine and honest initiatives. Anything less than genuine and concerted actions and this project, and the all the resiliency of those who engaged and offered their perspectives, will be for nothing. Persistent and timely responses to hate crimes and hate incidents that are community-centric and trauma-informed are essential. For this reason, meaningful support, intentional collaboration and the allocation of appropriate resources to community organizations that are doing the work to fight against hate in Hamilton are imperative for the success of these recommendations.



## Appendix A: Glossary of Terms

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- Anti-Black racism** Prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system.<sup>41</sup>
- Anti-racism** Beliefs, actions, policies and movements developed to actively identify and eliminate prejudice, stereotyping, and discrimination based on race.
- Anti-Semitism** Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.<sup>42</sup>
- BIPOC** Black, Indigenous, and People of Colour
- Colonialism** Colonialism is a practice of domination, which involves the subjugation of one people to another. Settler colonialism — such as in the case of Canada — is the unique process where the colonizing population does not leave the territory, asserts ongoing sovereignty to the land, actively seeks to assimilate the Indigenous populations and extinguish their cultures, traditions and ties to the land.<sup>43</sup>

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<sup>41</sup> Government of Ontario, "A Better Way Forward: Ontario's 3-year Anti-Racism Strategic Plan." <https://www.ontario.ca/page/better-way-forward-ontarios-3-year-anti-racism-strategic-plan>.

<sup>42</sup> International Holocaust Remembrance Alliance, "Working Definition of Antisemitism." <https://www.holocaustremembrance.com/working-definition-antisemitism>.

<sup>43</sup> Government of Ontario, "Ontario's anti-racism strategic plan: Terminology." <https://www.ontario.ca/page/ontarios-anti-racism-strategic-plan#section-8>

**Discrimination** Any form of unequal treatment based on a ground protected by human rights legislation that results in disadvantage, whether imposing extra burdens or denying benefits. Discrimination can be intentional or unintentional; and it may occur at an individual or systemic level. It may include direct actions or more subtle aspects of rules, practices and procedures that limit or prevent access to opportunities, benefits, or advantages that are available to others.

**Equity** The practice of ensuring fair, inclusive and respectful treatment of all people, with consideration of individual and group diversities. Access to services, supports and opportunities and attaining economic, political and social fairness cannot be achieved by treating individuals in exactly the same way. Equity honours and accommodates the specific needs of individuals/ groups.<sup>44</sup>

**Hate crime** A criminal act that promotes hatred against identifiable groups of people, motivated by bias, prejudice or hate. Although individuals and groups that promote this destructive form of human rights-based discrimination often defend their right to "free speech," it is a criminal offence to disseminate hate propaganda and/or to commit hate crimes.

**Hate-motivated behaviour:** Any act or attempted act intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility toward the victim's real or perceived ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

**Homophobia** Negative attitudes, feelings, or irrational aversion to, fear or hatred of gay, lesbian, or bisexual people and communities, or of behaviours stereotyped as "homosexual." It is used to signify a hostile psychological state leading to discrimination, harassment or violence against gay, lesbian, or people.<sup>45</sup>

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<sup>44</sup> Rainbow Health Ontario, "LGBT2SQ Terms and Definitions Glossary."  
<https://www.rainbowhealthontario.ca/news-publications/glossary/>

<sup>45</sup> The 519, "Glossary of Terms." <https://www.the519.org/education-training/glossary>

- Intersectionality** A term coined by black feminist legal scholar Dr. Kimberlé Crenshaw to describe the ways in which our identities (such as race, gender, class, ability, etc.) intersect to create overlapping and interdependent systems of discrimination or disadvantage.<sup>46</sup>
- Islamophobia** Includes racism, stereotypes, prejudice, fear or acts of hostility directed towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic and societal level. (Ontario Human Rights Commission, Policy on Preventing Discrimination Based on Creed).<sup>47</sup>
- Systemic racism** The direct and indirect action of our community institutions that has perpetuated inequality, discrimination and disparity of outcomes based on race for generations. Systemic racism can be directly visible within institutions such as lack of racialized individuals in senior leadership. It can also be painfully inconspicuous, such as racist jokes, stereotypes, prejudices, derogatory remarks, micro-aggressions and limited opportunities.
- Transphobia** Negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans.<sup>48</sup>

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<sup>46</sup> The 519, "Glossary of Terms." <https://www.the519.org/education-training/glossary>

<sup>47</sup> Government of Ontario, "A Better Way Forward: Ontario's 3-year Anti-Racism Strategic Plan." <https://www.ontario.ca/page/better-way-forward-ontarios-3-year-anti-racism-strategic-plan>.

<sup>48</sup> LGBT2SQ Terms and Definitions Glossary. Rainbow Health Ontario. <https://www.rainbowhealthontario.ca/news-publications/glossary/>



Hamilton

# **Hate Prevention & Mitigation Initiative**

## **Comparative Research Report**

May 14, 2020

Prepared by Rebecca Sutherns PhD CPF  
Sage Solutions

**sage**  
SOLUTIONS

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## Background

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According to Statistics Canada, over the last five years, there has been an increase in the number of police-reported hate incidents and crimes reported.<sup>1</sup> Even in contexts where overall rates are stable, the intensity or seriousness of crimes may be showing an increase over time.<sup>2</sup> The impact of hatred and hate incidents in a community results in a disproportionate level of harm that affects not only the individual but the community at large. Whether directed against individuals or communal institutions, acts of hatred leave entire communities feeling impacted, with undeniable ripple effects. Policies, bylaws and procedures govern how people are meant to interact with one another. At a municipal level, creation and enforcement of such regulations are complemented by decisions about the design of physical spaces as well as supports provided to particular kinds of associations and events, which can help or hinder positive collective social relationships. Municipalities therefore have the potential to act as a catalyst for dismantling hatred occurring in their communities through policy and collaboration with social service organizations, police services, and community organizations.

Given the presence of yellow vest protestors congregating on city property on weekends in 2019, the City of Hamilton is exploring ways the municipality can contribute to ensuring the community lives up to the positive aspirations it holds for itself. It is doing so by learning from other communities' experiences, creating a supportive policy context, building on previous community recommendations and listening further to the community through an engagement process that will unfold during the spring and summer of 2020.

This report is an environmental scan of municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviour on city property and public property. The objective is to understand how other municipalities across Canada, and selected examples from Australia, England and the United States, are approaching mitigating hate and discrimination in their cities, through specific policies and bylaws and other non-legislative measures, in order to inform Hamilton's approach.

## Methodology

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Building on the initial report, *Hate Mitigation Policies, Procedures and By-laws of Comparison Municipalities*, created by the City of Hamilton,<sup>3</sup> this report reviews twenty Canadian municipalities that had reported hate crimes over the last five years, selected based on comparability to Hamilton, Ontario. It also reviews state and local Australian examples from communities also considered comparable to Hamilton, such as Newcastle and Wollongong. The Canadian examples are largely policies, while the Australian examples are municipal strategies along with research reports on various "bias crimes."

Information was located by internet search, utilizing key terms such as "municipal behaviour bylaw," "code of conduct municipal property," "public behaviour on city property," "respectful

behaviour," "respectful behaviour in recreational centres," "public nuisance bylaws," "trespassing bylaws" and "municipal policies hate mitigation." It also included searching and reading through applicable bylaws, council agenda minutes, available on municipal websites.

Policy information has been challenging to find; many policies are internal and difficult for the public to access. There is also a lot of variability in language, such as in the names of policies and procedures, which can make locating relevant, comparable information difficult. It is highly likely that the search process outlined above did not uncover the full range of protocols, strategies and informal, undocumented initiatives. It does, however, indicate that published materials are limited.

Beyond municipal policies, other research reviewed direct community responses to hate activity, and community-based research on combating intolerance, anti-Black racism, homophobia, and initiatives for creating safer public spaces.

Research also covered Police Service websites and the information available on how to report hate crimes and hate-motivated incidents.

Some preliminary scholarly research was also conducted. Hate crimes are complex and research on them is limited, particularly in Canada. There is a tendency to focus on victims rather than perpetrators, not just in understanding the behaviours but even in designing mitigation strategies. A fulsome review of the literature is beyond the scope of this project.

## Police-Reported Hate Crimes

Table 1 shows the number of police-reported hate incidents and rates per 100,000 population in 2018 within those twenty municipalities, as documented by Statistics Canada. Statistics were not available for Oshawa or Quebec City. The census metropolitan area of Toronto encompasses, among others, Brampton and Mississauga. The census metropolitan area of Vancouver encompasses Richmond and Surrey.

In 2018, police reported 1,798 criminal incidents in Canada that were motivated by hate. Hate crimes accounted for less than 0.1% of the over 2.0 million police-reported crimes in 2018 (excluding traffic offences).<sup>4</sup> The number of police-reported hate crimes decreased by 13%, or 275 fewer incidents, compared to 2017. With the exception of 2017, the number of hate crimes in 2018 was higher than any other year in the past 10 years.<sup>5</sup> Police data on hate-motivated crimes include only those incidents that come to the attention of police services and also depend on police services' level of expertise in identifying crimes motivated by hate. As a result, an increase in numbers may be related to more reporting by the public to police services (for example, as a result of outreach by police to communities or heightened sensitivity after high profile events), and/or a true increase in the extent of hate crimes being committed.<sup>6</sup>

According to a recent report in the *Hamilton Spectator* based on unpublished police statistics, the number of reported hate-bias incidents in Hamilton decreased by 26.4 per cent over the previous year. Police chief Eric Girt stated "Hamilton has been misrepresented as the leading hotbed for hate because police here are more vigilant in collecting hate-bias incidents than many other communities." Girt believes that the majority of hate incidents that are reported to Hamilton police services predominately involve mischief-related graffiti and lower level assaults, while many other jurisdictions do not collect and report those as hate statistics.<sup>7</sup> Even

	<b>Number of hate crime incidents</b>	<b>Rate per 100,000 population</b>
<b>Total police-reported hate crime</b>	1,798	4.9
Brampton (considered part of Toronto census metropolitan area)		
Calgary	80	5.3
Edmonton	69	4.8
Guelph	11	7.8
Halifax	17	3.9
Hamilton	97	17.1
London	34	6.4
Mississauga (considered part of Toronto census metropolitan area)		
Montreal	276	6.5
Oshawa		
Ottawa	105	9.8
Quebec City		
Richmond (considered part of Vancouver census metropolitan area)		
Sudbury (Greater Sudbury)	3	1.8
Surrey (considered part of Vancouver census metropolitan area)		
Toronto (Includes all Toronto census metropolitan areas including Brampton and Mississauga)	364	6.4
Vancouver (Includes all Vancouver census metropolitan areas including Richmond and Surrey)	187	7.1
Victoria	24	6.1
Waterloo (Kitchener, Cambridge, Waterloo)	39	6.7
Windsor	6	1.7
Winnipeg	28	3.4



with that decrease, Hamilton’s numbers lie in a high range relative to the other cities listed above.

There is considerable variability in the definition of what constitutes a hate-motivated incident across police services in Canada.<sup>8</sup> Some police services use the exclusive definition, which states that a crime is only classified as a hate crime when, in the opinion of the investigating officer, the act was "based solely upon the victim's race, religion, nationality, ethnic origin, sexual orientation gender or disability," while other police services define a hate-motivated crime as one that was motivated "in whole or in part, by a bias". This distinction in definition impacts the comparability of crime rate statistics across the country. Jurisdictions adhering to an exclusive definition likely report significantly lower rates of hate crimes.

## Legislation and its Limits

Out of 20 municipalities reviewed (see Table 2), the City of Toronto has the most robust formal suite of policies related to mitigating hate on city property, specifically a response to planned and unplanned hate rallies. No other municipal policies located address groups of people congregating on municipal property for the purpose of demonstrating to incite hate.

The legislative framework for hate-related infractions is complex and occurs at various levels, Globally, there are international covenants that make it illegal to advocate hatred that incites discrimination, hostility and violence. Federally, the Canadian federal Charter of Rights and Freedoms and provincial Human Rights Codes are in place to ensure protection against discrimination. At a more local level, there are generic rules around trespassing or responsible behaviour on city/public property. More specifically, municipalities might have regulations related to anti-discrimination or the promotion of [often cultural] diversity, many of which apply to their staff or volunteers and less to the general public. Even more specifically, communities might have policies or codes of conduct related to peaceful public gatherings or, in rare cases, hate-related behaviour.

**Table 2. Comparison of Municipal Policies & By-laws**

Municipality	Formal Policy for Hate Crime (related to Hate incidents)	Policies/ By-laws for behaviour on city property/ public property
Brampton		✓
Calgary		✓
Edmonton		✓
Guelph		✓
Halifax		
London		✓
Mississauga		✓
Montreal		
Oshawa		✓
Ottawa		✓
Quebec City		
Richmond		
Sudbury		✓
Surrey		
Toronto	✓	✓
Vancouver		
Victoria		
Waterloo		✓
Windsor		✓
Winnipeg		

Yet even when legislation is in place, it is only as effective when enforced. One recent study of three Australian states revealed a woeful lack of convictions of bias crimes despite thousands of offences being reported, sometimes as many as three per day, in a context where vast underreporting is known to be the case. Just three convictions in total have occurred since the

mid 1990s. The researchers point to a variety of contributing factors, including staff cuts to bias crime units, widespread denial, conservatism and intolerance among “old white men” that run police services, inappropriate police training to recognize and track these crimes, and even a tendency to want to keep minorities quiet. Vilification crimes are known to be difficult to take to trial, since proving motivation is key to conviction, so police may not bother pursuing incidents. Moreover, if common cases are not handled seriously, it makes it harder to prevent major hate crimes.

All of this occurs within a broader context of selective enforcement in security and policing, which itself is nested within a justice system and a broader sociocultural reality in which bias, racism and other forms of discrimination have been shown to be rampant.<sup>9</sup>

Legislation alone is therefore an insufficient condition to mitigate hate. Not only is reporting problematic, but even when reporting occurs, decisive, effective follow up may be limited or allocated unequally.

## Critical Observations

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At a local level, municipalities have a range of “levers” at their disposal by which to address hate-related behaviours, directly and indirectly. These include:

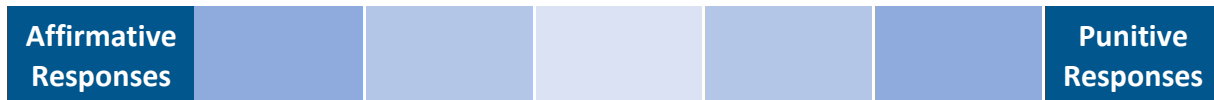
- Strategic planning and leadership
- Communication and community engagement
- Environmental design and maintenance of public spaces
- Community placemaking and programming (including investment in the work of community organizations)
- Public education and capacity building
- Proactive partnerships
- Regulations and policies
- Enforcement practices (including tracking and reporting; situational crime prevention; levelling consequences etc.)
- Emergency response and symbolic representation

They are often housed under strategic headings such as “cultural diversity” or “community safety,” which may be both broader and narrower than hate mitigation. Even more broadly, local decisions that accelerate equitable economic activity, for example, could have an impact on hate-related behaviours to the extent that they are exacerbated by hopelessness or inequities. Available examples of these levers have been summarized – the City of Hamilton may wish to explore others.

Illustrative examples of community-based initiatives are also included here, which often thrive with municipal support. They demonstrate the intersection of front-line work, intentional

partnership development and community-led responses, whether it’s the development of public education campaigns, community response systems, collective memory and art projects or anti-hate coalitions. These manifest into tangible programs and community engagement activities that bring people together across generations, cultures and abilities, and inherently are more likely to combat hate.

How these various levers are used will depend in part on where a municipality situates itself in terms of balancing early intervention with responsive engagement. More preventative approaches would promote the behaviours a community wants to see, rather than focusing on punishing infractions. Some municipalities develop and cite their values, for example, when asked how they address hate. While it is difficult to assess the extent to which they successfully live up to those aspirations, and in whose opinion, there is a noticeable difference in tone between affirmative and punitive responses, and each community needs to choose where it lands on that spectrum.



Given this range, it is not surprising that across the twenty municipalities, there is great deal of variability in how municipalities are addressing hate incidents on city and public property. Moreover, it is difficult to assess how effective these various approaches are. Reported hate crime rates is one important but rough measure of results, but there are multiple contributing factors to that number, and it does not necessarily give an accurate depiction of hate-related incidents or how safe people feel to report or even to live in each place. Similarly, the existence of a published strategy document or piece of legislation does not necessarily speak to how well-used or effective that policy or regulation has been in practice.

## Range of Levers

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Despite this variability, what does emerge as clear are the following observations:

- a multi-pronged approach is needed;
- a single “one size fits all” model is not appropriate to each place;
- municipalities are able to use various levers to influence behaviour, and yet
- mitigating hate requires coordinated action well beyond municipal control;
- no single municipality currently has this issue “figured out,” but Hamilton can learn from the composite experience of others.

There are several elements which, taken together, create an environment in which hate is less likely to flourish. These include the following:

- Zero tolerance of hate-related behaviour – on “paper,” in perception and experientially

- Effective communication, including to help residents navigate how to handle hate-related incidents (both experiencing or witnessing a hate-related incident)
- Broad and specific training for police in respect, diversity and recognition of hate crimes
- Public education (e.g. campaigns, values exercises, dialogue, training) to set shared community norms and expectations and to increase knowledge
- Ongoing training and workshops for municipal staff and community organizations to share best and emerging practices in building diverse, inclusive and equitable communities
- Intentional collaborative relationships across the community, including with police services
- Access to trauma-informed, culturally appropriate support for victims
- Safe, responsive and transparent reporting mechanisms that are used and that extend beyond only reporting to police services
- Community-wide tracking of hate-related incidents
- Crime prevention through environmental design
- Support for community groups and initiatives that promote diversity and inclusion and address root causes of discrimination
- A supportive suite of legislation, policies, regulations and codes of conduct that are actually followed
- Investment in alternative models of enforcement to achieve community safety, such as restorative justice
- Creativity and openness to meet emerging needs as they arise

## Case Study: The City of Toronto

### *An integrated suite of policies specifically targeting hate*

The City of Toronto's Hate Activity Policy and Procedures assist in the identification of a hate-motivated crime or incident and identify the appropriate responses. The goal of the Policy and Procedures is to establish and maintain a hate-free City as required under the City of Toronto Human Rights and Anti-Harassment/Discrimination Policy, the Ontario Human Rights Code and the Criminal Code. The City's Hate Activity Policy and Procedures have broad application and apply to all City of Toronto employees, volunteers, accountability officers and their staff, and elected officials and their staff. It also applies to citizen advisory committees/bodies, members of the public, service recipients, visitors to and users of City facilities/public space and individuals conducting business with, for or with support from the City of Toronto.<sup>10</sup> Perhaps most importantly, the City's Hate Activity Policy specifically states that the City of Toronto condemns the promotion of hatred and promotes an environment free of hate.

The City's Hate Activity Procedures outlines behavioural expectations and lines of communication should an event occur on city property. A report is made to management and the Human Rights Office. City staff are required to respond to these incidents/allegations by assessing the issue, and if it is an emergency, respond based on existing emergency guidelines and notify the Toronto Police Services (TPS). If it is not an emergency, staff are required to

record and provide all details to the Human Rights Office for consultation and response. Because of the legal issues and constitutional rights involved, staff in Legal Services are also typically involved in the assessment of the allegations and in decision making about appropriate responses to such incidents or allegations.

In 2019, the City created a plan specifically for responding to hate rallies which were occurring on city property. Under this new policy, the City of Toronto does not issue permits for rallies, protests or demonstrations. The City directs those wishing to hold a rally or protest in a public space to complete the Toronto Police Notice of Demonstration. This is not required, but if a group files a notice, it activates a communication channel between TPS, the City's Corporate Security, and City staff to monitor the event. The information requested in the notice of demonstration is to ensure public safety, it is not a permit for demonstrations or rallies. It is highly unlikely that many organizers would provide notice of demonstration to TPS, due to the historically strained relationship between public demonstrations and police services. Actual use or effectiveness of this mechanism has not been verified.

When either TPS or City staff become aware in advance of a rally, they communicate with one another so that existing protocols can be activated. If the City receives such a notice of demonstration from the TPS, it coordinates to ensure response protocols outlined in the Hate Sponsored Rally Protocols regulation are put into place. Response protocols include communication channels between the Toronto Police Service, the City's Corporate Security personnel and staff in the City's Municipal Licensing and Standards' By-law Enforcement division. Toronto Police attends rallies to monitor and keep the peace. When the Toronto Police receive a hate activity complaint, the complaint is reviewed and assigned to the responsible Superintendent for follow up. Depending on the nature of the allegation, the Superintendent may engage the Hate Crime Coordinator and officers from the Community Response Unit, Crime Unit or Major Crime Unit within the Toronto Police Service. An internal Toronto Police Service investigation is then undertaken. The outcome of the investigation is communicated to the Superintendent of the relevant Toronto Police division, who determines whether or not the matter should be referred to the Attorney General's office for review.

The strength of these policies is that channels and specific responses exist for planned and unplanned hate rallies on city property. By creating clear communication channels with the Toronto Police Services, the City can efficiently and effectively utilize protocols when incidents arise. The City's policies are also the only ones in the country that outline an explicit plan to deal with groups of people versus just an individual. Further, city policies and practices must be designed to avoid infringing on the Canadian Charter of Rights and Freedoms, which include freedom of thought, belief, opinion and expression; freedom of peaceful assembly; and freedom of association. The City's policies balance not infringing on those rights while showcasing a strong commitment to inclusion, anti-discrimination, and condemnation of hate, including ensuring that its spaces are not used to propagate hate against any group of people.

## Case Study: Newcastle, New South Wales, Australia

### *Harmonized state and local actions to promote perceptions of safety and lower crime*

New South Wales (NSW) is an Australian state representing about 10% of the country’s land mass and 8 million residents, roughly one third of the country’s population, not unlike Ontario. In 2018, NSW passed a law (*The Crimes Amendment (Publicly Threatening and Inciting Violence Act 2018)*) that criminalizes publicly threatening or inciting violence on specific grounds, including race, religion or sexual orientation. It sets a high bar for the rest of the country and the existence of that legislation gives police more power to gather evidence when suspected bias crimes occur.

Newcastle is a post-industrial harbour city, the second largest in NSW, which could be considered comparable to Hamilton. Newcastle has a Social Strategy that sets a goal of being an “inclusive community” that “fosters a culture of care.” Within that Strategy, they have a Safe City Plan that was generated in response to growing diversity in their city and increasing unrest that has accompanied that change. The Safe City Plan includes a range of components, including a “Safe and Vibrant Night Time Economy” strategy, primarily to address “alcohol-related anti-social behaviour,” as well as Crime Prevention Through Environmental Design (CPTED), municipal services explicitly to promote pro-social behaviours, and activities to improve residents’ perceptions of safety. Specific activities include provide multi-lingual resources related to community safety, partnering with the Department of Justice to support authorized street art, safe spaces training in partnership with ACON (a community health organization that supports people of diverse genders), placemaking grants and processes to ease reporting of hate-related incidents. Only after describing these various initiatives does their strategy address legislation, which is also in place to support police in enforcing expectations regarding discriminatory behaviour.

## Behaviour on Public Property

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Thirteen out of twenty of the Canadian municipalities reviewed have a policy or bylaw to manage behaviour of the general public who are using City property and/or public property (see Table 2). These include Brampton, Calgary, Edmonton, Guelph, London, Mississauga, Oshawa, Ottawa, Sudbury, Toronto, Waterloo, and Windsor. These are guidelines are framed under titles such as Trespassing and Public Nuisance bylaws, Good Behaviour Policies, Respectful Behaviour Policies and Respect for People and Property Code of Conduct. The policies are rooted and supported by the Trespass to Property Act (Ontario). As noted above, such guidelines and policies are integral to creating cities rooted in inclusivity and anti-discrimination, influencing how people are to treat each other in the public spaces.

Favourable features of several of these policies include:

- Explicitly referencing zero tolerance for violence, vandalism, and inappropriate behaviour on recreational city properties, including harassment, such as the use of racial or ethnic slurs;
- Appreciative language about respectful behaviour that is encouraged, such as a commitment to creating and promoting safe, healthy, respectful and welcoming environments where there is respect for others and responsibility for all actions;
- Naming and defining hateful behaviours that are not acceptable;

The majority of the policies are contextualized specifically for recreational centres, with a noticeable gap in how to manage behaviour on other city properties. Within these preventative guidelines and policies, clear communication channels for filing complaints or reporting infractions are cited. The most common approach is to report incidents to the most senior employee at the facility, or to corporate security. Depending on the severity of the incident, local police services are contacted to open an investigation. Penalties for infractions include a suspension of access to city properties, fines, and in some cases criminal charges. Significant enforcement occurs only when a law is broken, usually carried out by the police services.

Most of the policies reviewed focus on an individual's behaviour rather than large groups of people, such as rallies or protests. It is explicitly stated by some municipalities that their approach is to direct the responsibility of maintaining peaceful assembly, public safety and enforcement to the police while encouraging respectful behaviour on city premises. The City of Mississauga's Outdoor Events Policy requires event organizers planning to use public spaces to pre-register, obtain prior approval and sign various agreement forms indicating they will abide with relevant tolerance and inclusion policies. Although this helps to manage planned rallies, there is a need for clear procedures in the event of unplanned gatherings.

The City of Calgary and the City of Windsor have policies about public behaviour, though they refer to public intoxication, urination in public spaces, and fighting. No such policies could be found for the City of Halifax, the City of Montreal, Quebec City, the City of Richmond, City of Victoria and the City of Winnipeg.

## Case Study: City of Vancouver

### *Police Demonstration Guidelines*

As cited above, the Toronto Police Service requires a notice of demonstration. Similarly, the Vancouver Police Department (VPD) created *Public Demonstration Guidelines* to provide general information on how the VPD manages public demonstrations. The guidelines are designed to recognize the public's right to lawful assembly while upholding the law in a proportionate manner and with the least level of intrusiveness. When policing public demonstrations, the VPD's goals include but are not limited to preventing criminal acts from taking place, ensuring that the safety of demonstrators, the public, and the police is maintained, as well as ensuring that the public peace is maintained. The guidelines do not mention hate rallies explicitly, though VPD always considers and upholds Section 2 of the Canadian Charter of Rights and Freedoms.

## Case Study: City of Guelph and City of Brampton

### *Procedures for Removing Racist Graffiti on Municipal Property*

Municipal procedures for removing hate graffiti on city property, and ensuring the public knows how to report hate graffiti are extremely important. Commonly, in frustration, complaints are reported through the wrong channels such as via social media platforms or incorrect municipal departments. The majority of municipalities have a special section on their websites that communicate to the public how to report hate graffiti. As an example of this, the City of Guelph's Graffiti section on its municipal website includes a definition of hate graffiti, a timeline for how quickly it will be addressed, where to file the report and what information is required.<sup>11</sup>

The City of Brampton recently approved a motion to update the procedures for reporting and removing racist graffiti, after the public showed outrage that racist message was left up in their neighbourhood for days.<sup>12</sup> The lack of timely response indicated a gap in the City of Brampton's procedures for removing racist graffiti. The approved motion rectified this by prioritizing consistent and accurate information when reporting hate-motivated crimes (such as vandalism on city property) to the public and developing a coordinated response protocol which includes the timely removal of graffiti undertaken within hours of receipt of a report. All incidents of vandalism are reported to the police services. When possible, photographic evidence is provided. The City has also committed to exploring different ways of tracking and reporting incidents.

## Key Incidents as Catalysts

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Several communities point to memorable key incidents as having motivated action against hate. For instance, In the aftermath of the horrific events in Christchurch, New Zealand, where two consecutive mass shootings occurred at local mosques, policymakers in both New Zealand and Australia continue the extensive debate on the balance between the restriction on speech and the protection of free speech.<sup>13</sup> "The supporters of restrictive speech laws believe they are necessary to prevent racism, violence, and encourage diversity and multiculturalism, whereas those who oppose greater restrictions are concerned about their negative impact on free speech."<sup>14</sup> On the spectrum noted above, these approaches are obviously highly reactive, but can catalyze more preventative responses in the future.

## Tracking and Reporting

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As outlined above, hate crimes are likely to be significantly under-reported, and the means for tracking them are inconsistent across jurisdictions. Because changes in reporting practices can affect hate crime statistics, it is essential to recognize that, according to police services, higher rates of police-reported hate crime in certain jurisdictions may reflect differences or changes in the recognition, reporting and investigation of these incidents by police and community members.



Accurate data is not only useful in counting the number of incidents that have occurred. Expanding statistical data related to hate crime and incidents will provide much-needed insight into better understanding the intersectional elements of hate. Recognizing how the intersectional identity of victims uniquely impacts them will help improve programming and prevention efforts, as well as help organizations who deal with victims of hate to anticipate the needs of prospective clients better.<sup>15</sup> Similarly, capturing the location of hate incidents improves the ability of the municipality, police services, and local organizations to develop responses.

Most reporting systems involve an expectation that victims or bystanders will report in-person at Police Services.

To create safer and more responsive reporting systems, police services across Canada have incorporated online reporting platforms. Reporting an incident online offers a person a way to report an incident from home, with the help of a family member or friend if needed, minimizing the need to visit a police station which may feel intimidating and uncomfortable, or at the very least less convenient, thereby acting as a barrier to reporting, the complaint will still be filed online. It is unclear if proper follow-up and access to trauma-informed, culturally appropriate support services for victims are available or improved depending on the way the complaint is filed.

Out of twenty municipalities, ten police service websites had online reporting tools on their website. Frequently, it is mentioned that if the report is related to any vandalism or graffiti that could be described as hate-motivated, the person making the report should call the police instead. Of those ten, only two had specific online tools for reporting hate-motivated incidents. The online tool included examples of hate incidents and prompted the person to file a report by using questions unique to reporting hate incidents versus other criminal activities.

## **Case Study: Alberta Hate Crimes Committee**

### *Real time mapping of hate-related incidents*

In 2017, the Alberta Hate Crimes Committee (AHCC) launched the StopHateAB.ca website to capture hate incidents and contribute to the "real-time" map of documented hate incidents. The website still encourages individuals to report to hate-motivated incidents to police services, this does not replace filing a formal report. However, the information generated supports the outreach and education initiatives of the Alberta Hate Crimes Committee, while also disclosing to communities where incidents are taking place.

## **Collaborative Community Strategies**

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Community initiatives and collaborations to organize public education campaigns, community rapid response systems, community engagement art or storytelling projects or anti-hate coalitions are integral to combating hate. Cities thrive on multi-lateral, holistic approaches to



Surrey also has a Mobilization and Resilience initiative (<https://www.surrey.ca/community/18661.aspx>) that attempts to address issues before they become emergencies or requiring police interventions.

### *The Australian Hate Crime Network (AHCN)*

The AHCN is a partnership composed of three sectors of society: academics, representatives of NGOs from minority communities, and people from relevant government organizations. The network provides leadership, advocacy and support for state and national government responses to hate crime and hate incidents; provides an educative and advisory role to key agencies and services on preventing and responding to hate crime and hate incidents; enhances community awareness of hate crime and hate incidents, and encourages reporting, help seeking and access to available resources; monitors and reviews patterns in hate crime and hate incidents; advocates for improvement in data collection, law enforcement and criminal justice responses; and, collect and distribute relevant current research and knowledge on hate crime and hate incidents.

### *The Hate Crime Project, Southwark Mediation Centre, London*

The Hate Crime Project (HCP) is a project run at Southwark Mediation Centre, London, England, that addresses the harms of hate crime through a restorative justice lens. Cases are often referred to the HCP by schools, housing associations, police services as well as self-referrals. The project has been very successful in tackling racial harassment and homophobia in the community, by creating a forum for both the victim and perpetrator to participate. The key objectives of the project are to explore the effect that inter-personal conflicts has on the lives of those directly and indirectly involved; to enquire into issues around prejudice and identity, which may be at the heart of the conflict; and to find a resolution that is acceptable to all or most involved. Further, allowing participants to vocalize their stories in this way can help them to recover from their experiences of targeted victimization.

There is a similar program starting locally in *Kitchener, Waterloo*. The project is called the Together Project, brought together in collaboration by the Community Justice Initiatives (CJI) and the Coalition of Muslim Women of Kitchener. The intention is to bring restorative practices to identity-focused harm, building on work called "Brave Spaces." The program seeks people with lived experiences of racism to act as trained transformative mediators to conflicts that arise in the community.

### *Portland United Against Hate (PUAH) Project*

One common issue across North America is the struggle to obtain accurate data related to the number of incidents of hate-motivated incidents, due to distrust in law enforcement, fear of re-victimization, apathy, or a sense of futility. In Portland, USA, an initiative called Portland United Against Hate (PUAH) Project created a community rapid response system to track and report hateful acts while also providing support and protection to communities. The system provides a culturally responsive and trauma informed support to those reporting acts of hate.

### *Paper Monument, New Orleans*

Paper Monuments is a public art and public history project designed to elevate the voices of the people of New Orleans. The intention is to create new narratives and symbols of the city that represents the collective vision, and honours the erased histories of the people, places, movements, and events that have made up the past 300 years. The project centres equity, integrity, and collaboration to expand the collective understanding of New Orleans, while producing a new public memory.

## **Preliminary Implications for the City of Hamilton**

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The current City of Hamilton policies and procedures explicitly to address hate-related behaviours, developed in 2019, include:

- *Hate Related Incident Prevention Policy and Procedures*
- *Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces*
- *Corporate Security Office Activities and Recommendations*

As in several other municipalities, the development of these regulations was triggered by a series of key events in the city, most notably unrest at the Gage Park Pride Festival in June of 2019. They sit within a broader suite of relevant strategies that articulate Hamilton’s vision and values (e.g. *Our Future Hamilton*), its approaches to working with specific populations (e.g. *Hamilton Urban Indigenous Strategy*), and/or behavioural expectations for its staff and volunteers (e.g. policies on diversity, harassment, equity etc.) Other concurrent reviews are ongoing, including related to the policing of the incident mentioned above.

Provisionally, Hamilton is putting in place several elements from the list of enablers noted earlier that create an environment in which hate is less likely to flourish, including:

- Zero tolerance of hate-related behaviour written into policies
- Intentional, collaborative relationships, including with police services
- Support for public education to set shared community norms and expectations and to increase knowledge about what is not acceptable behaviour
- Crime prevention through environmental design
- A suite of supportive policies, including a Trespassing Bylaw

This list can be verified, strengthened and added to over time.

In the meantime, a provisional analysis of existing policies is offered here.

### *Hate Related Incident Prevention Policy and Procedures*

This policy is consistent with other thirteen municipalities that are taking explicit action against hate activities on municipal property through their policies and procedures; in particular, it bears a close resemblance to the City of Toronto's Hate Activity Policies and Procedures. The Hamilton policy thoroughly lays out the intention of the policy, who the policy is for, to what spaces it applies to, provides examples of behaviour that is not tolerated, articulates the communication channels for reporting infractions, and engaging with other community partners, such as police services to ensure it is followed.

The following highlights point to limitations of the Hamilton suite of policies that could be mitigated throughout this project:

- The Hate Related Incident Prevention Policy indicates that the City wants to facilitate the combined efforts of various sectors in responding to hate, including but not limited to staff, police services, elected officials and other levels of government. There needs to be more detail provided on how this will be done, as doing so is not outlined in the accompanying procedures. Will there be a development of a Hamilton Action Plan for Anti-Hate Activity, for example?
- More information and disclosure about the range of consequences would help demonstrate the severity of these violations. Other municipalities list tiers of penalties depending on the severity and the frequency of the policy infraction. Examples are 72-hour notices at the minimum (City of Sudbury, City of Oshawa, City of Ottawa).

### *Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces*

The City of Hamilton is consistent with other municipalities in not issuing permits for activities associated with assemblies and demonstrations, and instead requiring those interested in holding a rally or demonstration to submit a Notification of Demonstration Form. It is worth noting that extremist and/or anarchist groups are not highly likely to complete a Notice of Demonstration. Especially if these notifications are not required.

In the example of Toronto, Notifications of Assembly or Demonstration were orchestrated by the Toronto Police Services, not the City. It is unclear how utilized these notices are. In the example Vancouver, the Vancouver Police Services use Police Demonstration Guidelines to educate potential demonstrators about what to expect, and what the role of the police is during protests. The tone of this document is much different than the notice form of the Toronto Notification of Assembly.

It seems likely that if the City of Hamilton creates this tool that it will be underutilized.

## *Corporate Security Measures*

The City's Corporate Security Office filed a report in July 2019 outlining a series of recommendations to respond to hate-related activities, most notably in the forecourt of City Hall.

This suite of security recommendations is likely necessary to improve safety through environmental design and the gathering of timely, accurate footage and information, assuming the capacity exists to catalogue and analyze such footage. The tone of these measures does appear to be reactive and punitive in its orientation. As an example, the proposed signage at City Hall emphasizes more heavily the kinds of behaviours that will not be tolerated than those that are actively encouraged. There is a heavy reliance on policing to address hate and a tendency in practice to define hate narrowly as "hate crimes." There is a deference to and emphasis on the limits imposed by Charter of Rights and Freedoms rather than attempts to actively build an inclusive community within the bounds of that broad legislation.

As previously noted, combatting hate is only partially about legislation and policy and heavily about creating and sustaining a culture of inclusion. Taken together, Hamilton's approaches will therefore need to be supplemented by a range of other efforts (some of which are underway and others that need reinforcement) in order to ensure a coordinated, multi-pronged approach to addressing hate. Positive, proactive approaches to city-building should be a strong focus, to supplement more reactive and punitive activities. Examples of such efforts could include the following, based on the comparative research conducted thus far. This list will be refined further based on local research slated for 2020.

- Decisive, visible, credible leadership that speaks out quickly and unequivocally against hate
- Consistent training and transparent monitoring of respectful and equitable policing
- Decoupling of "hate" from policing and toward a broader community responsibility involving a more positive promotion of a culture of empathy and care
- Broad, active communication and public education, not just in response to hateful incidents but proactively to build inclusion
- Active promotion and funding of multilateral, positive initiatives to build trust and empathy across the city
- Community-based reporting mechanisms, comprehensive tracking and support for victims.

Additional analysis will be forthcoming following the community engagement phase of this project.

## APPENDIX A: Comparison of Municipal Policies

Municipality	Name of Policy/Bylaws/Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
<b>Brampton</b>	Good Behaviour Policy	All participants and spectators using city property	City Staff	Asked to leave the premise, depending on severity liable for a fine.	Intended for recreational city properties.
<b>Calgary</b>	Regulate Public Behaviour	General public	Police Services	Fine	No mention of discrimination or anti-racism. Only encompasses acts such as urination, violence, etc.
<b>Edmonton</b>	Respect for People and Property (Code of Conduct)	All visitors and staff	Staff, Corporate Security & Edmonton Police Service	Level B & Level C: harassment, discrimination or hate-related crimes.  Asked to leave & may have privileges suspended from City Operated facilities and property.	Intended for recreational city properties.
<b>Guelph</b>	Rzone	Participants and the general public	City Staff	Depending on the severity, be barred immediately from the premises and if necessary, a suspension for a period of time.  Incidents may be reported to the City of Guelph Regional Police Service, and charges may follow.	Intended for recreational city properties.
<b>Halifax</b>	Could not find any policies about behaviour on city property.				
<b>London</b>	Public Nuisance By-law	General Public	Bylaw Compliance & Police Services	Fines	Intended for public and private property. Section that address issue of hateful “street preachers” by prohibiting interference with another person’s use and enjoyment of a public space by using “abusive or insulting language as a personal invective.”

Municipality	Name of Policy/Bylaws/Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
<b>Mississauga</b>	Use of Facilities Policy (intended for recreational city property)  Outdoor Events in the Civic District Policy	All visitors and staff & general public, anyone who applies to host an event an outdoor event.	Staff & Police Services	Unclear to whom infraction should be reported.	A permit will not be given to anyone who promotes contempt or hatred for any person (defined in Ontario Human Rights Code)
<b>Montreal</b>	Could not find any policies about behaviour on city property.				
<b>Oshawa</b>	Trespass By-Law  Respect Check Policy	Applies to all members of the public.	An authorized person who has reason to believe that a person has engaged in Prohibited Conduct may give the person a Trespass Notice.	72 hour written trespass notice will be issued. Notice prohibits entry on or to a City Facility for a period not exceeding 3 days, which can be extended up to 6 months.	Respect Check policy is for all municipal properties (including City Hall).
<b>Ottawa</b>	Corporate Trespass to Property Procedures	Applies to all.	On site supervisory staff or facility security guards.	72 hour written trespass notice will be issued.  Depending on the type of incident, behaviour, frequency, the person will be banned for a longer time.	
<b>Quebec City</b>	Could not find any policies about behaviour on city property.				
<b>Richmond</b>	Could not find any policies about behaviour on city property.				
<b>Sudbury</b>	Trespass to Property Act Policy		On site staff will escalate to supervisors and security guards.  All trespasses issued by the City of Greater Sudbury will be forwarded to the Greater Sudbury Police Service to be entered into their trespass database and decide if further investigation is warranted.	72 hour written trespass notice will be issued.  Depending on the type of incident, behaviour, frequency, a person will be banned for a longer time.	
<b>Surrey</b>	Could not find any policies about behaviour on city property.				



Municipality	Name of Policy/Bylaws/ Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
<b>Toronto</b>	Hate Activity Policy & Procedures	Applies to all	Toronto Police Service or City staff	The City may issue a trespass notice issued under the Trespass to Property Act to limit or bar future use of any City property after appropriate investigation and contextual review.	
<b>Vancouver</b>	Public Protest Policy (no further information found on this)				Vancouver Police Department has created a Public Demonstration Guidelines.
<b>Victoria</b>	Could not find any policies about behaviour on city property.				
<b>Waterloo</b>	Respectful Behaviour Policy	Applies to all persons (residents, non-residents, volunteers, tenants, and staff) within City facilities, and at any other location where City staff are present.	City staff who will direct inappropriate behavior to Police Services if necessary.	Banning from all municipal facilities.	Applies to behaviours that obstruct or hinder the ability of others to use and enjoy city facilities, or participate in City services programs or events, or compromise the safety and health of others, including staff, are unacceptable and prohibited.
<b>Windsor</b>	Trespass By-Law	General public	Authorized Person or Police Services if damage to property or person does not leave after warning.	Notice of trespass, ban for up to ten days. Subsequent cases or incidents of more severe or threatening behaviour many incur periods of up to six months, including an indefinite ban as approved by the City Solicitor. Long term bans shall be the exception rather than the rule.	No explicit mention of hate-motivated incidents or discriminatory behaviour.
<b>Winnipeg</b>	Could not find any policies about behaviour on city property.				

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<sup>1</sup> Statistics Canada. [Table 35-10-0191-01 Police-reported hate crime, number of incidents and rate per 100,000 population, Census Metropolitan Areas](#)

<sup>2</sup> Iner, Dryer, ed. *"Islamophobia in Australia Report II."* Sydney: Charles Sturt University and ISRA, 2019.

Nathan, Julie. *"Report on Antisemitism in Australia."* New South Wales: Executive Council of Australian Jewry, 2019.

<sup>3</sup> <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=205539>

<sup>4</sup> <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

<sup>5</sup> <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

<sup>6</sup> <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

<sup>7</sup> <https://www.thespec.com/news/hamilton-region/2020/01/31/despite-summer-of-hate-hamilton-s-hate-incidents-tumbled-in-2019.html>

<sup>8</sup> [https://www.justice.gc.ca/eng/rp-pr/csj-sjc/crime/wd95\\_11-dt95\\_11/p0\\_1.html](https://www.justice.gc.ca/eng/rp-pr/csj-sjc/crime/wd95_11-dt95_11/p0_1.html)

<sup>9</sup> See for example: <https://ccla.org/a-recent-history-of-racial-profiling-and-policing/>,

<https://www.bbc.com/news/world-us-canada-46513250>, <https://journals.openedition.org/cybergeog/26165>

<sup>10</sup> <https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132059.pdf>

<sup>11</sup> <https://guelph.ca/how-can-we-help-you/graffiti/>

<sup>12</sup> <https://www.bramptonguardian.com/news-story/9503719-brampton-changes-its-hate-graffiti-removal-procedures-after-offensive-message-left-for-days/>

<sup>13</sup> Wilkie, Monica. "Criminalising Hate Speech: Australia's Crusade against Vilification." *Culture, Prosperity & Civil Society*, vol. 6, Sept. 2019.

<sup>14</sup> Wilkie, Monica. "Criminalising Hate Speech: Australia's Crusade against Vilification." *Culture, Prosperity & Civil Society*, vol. 6, Sept. 2019.

<sup>15</sup> <https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR10536925/br-external/OrganizationForThePreventionOfViolence-e.pdf>

<sup>16</sup> <https://www.surrey.ca/files/PRC%20Community%20Engagement%20Report.pdf>



# Hate Prevention & Mitigation Initiative

# FINAL RECOMMENDATIONS

Dr. Rebecca Sutherns

August 9, 2020



# Hate Prevention & Mitigation Initiative

By 2019, Hamilton's reported hate crime statistics were becoming alarming. It was clear that the City needed to invest in understanding and addressing hate in its community.

What started as a project focused on municipal bylaws and policies has resulted in a more holistic suite of proposed interventions which, taken together, could serve not only to reduce hate but also to build proactively the kind of diverse and welcoming city that Hamilton wants to be.



# Methodology

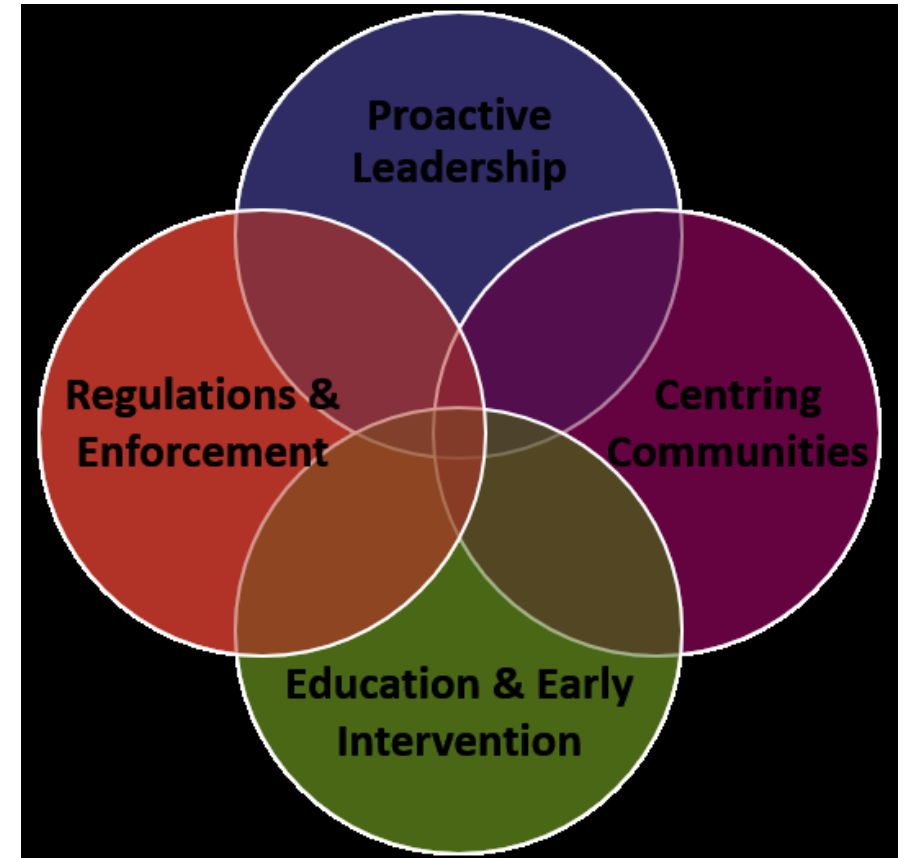
- **Comparative research** to understand how other municipalities are approaching hate mitigation and identify possible options for Hamilton (early 2020)
- **Community consultation** with approximately 275 individuals through listening sessions, interviews, focus groups and a survey (June-September 2020). The focus was on centring the experience of those with lived experience of discrimination and hate.
- **Draft recommendations** developed based on the research and feedback received (September 2020)
- **Additional community input** on the draft recommendations from approximately 100 individuals through targeted focus groups and digital feedback (October 2020-March 2021)
- **Final Recommendations Report** with 18 recommendations submitted (April 2021)



## Initial categories from the comparative research



## Final categories proposed for Hamilton



# Proactive Leadership

1. **Accelerate decisive and well-informed City responses** to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.
2. **Create, resource and implement an action plan** to confront systemic racism, oppression, and other forms of discrimination in Hamilton.
3. **Convene collaborative opportunities for productive dialogue** amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.
4. **Measure and report** on progress.



# Centring Communities

5. **Follow through** with actions that support what the City has already heard.
6. **Deeply listen** to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.
7. **Incorporate more diverse representation** at decision-making tables.
8. **Initiate convergent strategies** to coordinate and accelerate the work that community organizations are doing to combat hate in the city.





# Centring Communities

9. **Redirect funding away from punitive efforts and toward prevention**, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.
10. **Invest in equity-promoting programming** and re-evaluate City grants and granting processes to ensure they are equitable and accessible.
11. **Invest in more safe community spaces.**



# Education and Early Intervention

12. Partner with community organizations, District School Boards, and other relevant collaborators, to **co-create and implement an educational curriculum together with young people** about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.
13. **Invest in placemaking** initiatives that encourage diverse community interactions across groups.



# Regulations and Enforcement

14. Leverage the municipal regulatory framework to stand against the **presence of hate**, beginning on City property but extending beyond that where legally possible.
15. **Develop a hate incident community mapping mechanism** to better track and collect data for hate incidents happening in the city.
16. **Build a coordinated community reporting system.**
17. **Embrace community-led responses to harm.**
18. **Foster positive working relationships between community organizations and Hamilton Police Service.**





**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES DEPARTMENT**  
**Housing Services Division**

<b>TO:</b>	Chair and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Kamba Ankunda (905) 546-2424 Ext. 4557 Jana Amos (905) 546-2424 Ext. 1554
<b>SUBMITTED BY:</b>	Edward John Director, Housing Services Division Healthy and Safe Communities Department
<b>SIGNATURE:</b>	

**RECOMMENDATION(S)**

- (a) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to enter into the Rapid Housing Initiative Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative allocation through the Cities Stream in the amount of \$12,945,935 for the creation of a minimum of 49 new affordable housing units through conversion or rehabilitation of existing buildings, new builds, including modular construction, in a form satisfactory to the City Solicitor;
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Rapid Housing Initiative (RHI) and provide support to projects applying to the RHI Cities Stream including: entering into any agreements and ancillary agreements on such terms as they consider appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business practices as needed to meet RHI timelines; and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor;

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide) - Page 2 of 8**

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- (c) That affordable housing exemptions from Municipal Development Charges (as defined by City of Hamilton Development Charges By-laws No. 19-142 and 11-174 or successor by-laws) for projects funded under the Rapid Housing Initiatives Cities Stream, Rounds I and II, be funded from the Unallocated Capital Levy Reserve (#108020);
- (d) That an estimated increase of \$248,000 to the Housing Services Division's 2023 operating budget, to fund rent subsidies for 49 units created under the Rapid Housing Initiative Round II for the required program affordability period of 20 years, be referred to the 2023 Operating Budget (GIC) for consideration; and,
- (e) That the Housing Services Division report back to the Emergency and Community Services Committee, as appropriate, on the City's progress with the Rapid Housing Initiative including both the first and second round of funding.

**EXECUTIVE SUMMARY**

On June 30, 2021, the Prime Minister announced an investment of an additional \$1.5 B for the Rapid Housing Initiative (RHI) to fund the creation of new permanent affordable housing across Canada. The additional funding to the previous announcement on October 27, 2020 is divided into two streams; \$500 M allocated to 30 pre-determined municipalities under the Cities Stream and \$1 B allocated under the Project Stream for eligible applications that were not fully funded during the first round.

As part of the Cities Stream funding, the City of Hamilton received an allocation of \$12,945,935 (rounded to \$13 M in the following sections of this Report) to create a minimum of 49 new permanent affordable housing units. The City of Hamilton received a notification to the above effect on June 30, 2021 (attached as Appendix "A" to Report HSC20056(a)).

The RHI provides up front capital funding to support the development of permanent housing within three categories: acquisition of land and construction of housing; acquisition of land and existing buildings for the purpose of conversion; and, acquisition of land and rehabilitation of uninhabitable housing.

The City must submit proposed projects to Canada Mortgage and Housing Corporation (CMHC) by August 31, 2021. Projects must be completed within 12 months of CMHC's approval. Municipalities are requested to have projects targeting a variety of priorities including women, seniors and the Indigenous population and to take a community benefit approach. All affordable units must be dedicated to people and populations who are vulnerable and targeted under the National Housing Strategy (NHS), especially people experiencing or at risk of homelessness or living in temporary shelters due to the COVID-19 pandemic.

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**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Upon the submission of the revised eligible applications and successful execution of the RHI Contribution Agreement between CMHC and the City, CMHC will transfer Hamilton's allocation of \$13 M to the City. The City is not required to provide security for these funds unless deemed necessary by CMHC. All the funds must be used to directly fund the projects. As with other CMHC programs, no funds will be provided to the City to support program delivery. However, unlike the CMHC Co-Investment Fund and Rental Construction Financing Programs, there is no requirement for a City financial contribution to RHI projects. The level of municipal contribution is one of the criteria for CMHC's evaluation of proposals submitted under the Projects Stream.

Staff are examining potential opportunities to link the RHI funds with other programs and goals, such as Reaching Home, Ontario Renovates, and housing subsidy programs.

Proponents are expected to include development charges, parkland dedication fees, and planning application fees as project costs in proposal budgets. The projects identified under Round I and Round II qualify for the affordable housing exemptions from Municipal Development Charges (as defined by City of Hamilton Development Charges By-laws No. 19-142 and 11-174 or successor by-laws) and funding from the Unallocated Capital Levy Reserve (#108020) is recommended. The current DC exemptions costs are estimated to be \$538 K for Round I and \$1.2 M for Round II and will be confirmed in subsequent reports. In addition, the projects identified under Round I and Round II are exempt from By-Law 18-126, Being a By-law to Require the Conveyance of Land for Park or Other Public Recreational Purposes as a Condition of Development or Redevelopment or the Subdivision of Land, as they have met the exemption criteria s.11.7 for exemptions from parkland or cash-in-lieu requirements.

Staff request that funding be considered for housing subsidies to sustain continued affordability for City residents. To ensure project viability and ongoing affordability for the 49 units created under Round II, a levy enhancement in 2023 of approximately \$248 K has been recommended for future consideration. This figure is the difference between the median market rent and assumed actual rent geared to income (RGI) rent revenue after considering a transfer of existing subsidy of \$36,246 within the Housing portfolio. These figures are estimates and will be confirmed through the 2023 budget process.

It is expected that the 46 units created under Round I can be subsidized using a combination of existing subsidy within the Housing portfolio and Ontario Community Housing Assistance Program (OCHAP)/Commercial Rent Supplements in 2022.

**SUBJECT: Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide) - Page 4 of 8**

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Conversions from commercial to residential units within existing social housing projects will result in additional costs to be addressed in the 2022 budget process.

Staffing: N/A

Legal: Legal Services staff reviewed the RHI Round I Contribution Agreement between CMHC and the City and expressed concerns regarding clarity in a number of terms and requirements; expectations regarding conformity of the occupied units, and the ability for CMHC to reduce or cancel the funding.

CMHC has provided staff the opportunity to address issues that may impede the implementation of RHI Round II projects through weekly meetings with staff. It is expected that accepting the \$13 M investment will require the City to enter into the agreements to flow funding within 45 days of project submission deadline of August 31, 2021 without significant amendments.

**HISTORICAL BACKGROUND**

In August 2020, Council endorsed the City's revised 10-year Housing and Homelessness Action Plan ("Action Plan") which sets a stretch target of 350 new affordable rental units per year to meet population increases. Hamilton is currently not meeting this target.

On October 27, 2020, the Federal Government publicly announced an immediate total investment of \$1 B through the Rapid Housing Initiative (RHI) to fund rapid production of affordable housing across Canada. The City of Hamilton received notification on October 23, 2020 of an allocation of \$10,760,585 under the RHI Major Cities Stream to support projects selected by the City. Proposals were to be submitted to the nationwide \$500 M RHI Projects Stream. Council approved Report HSC20056 on November 4, 2020 meeting.

On June 30, 2021, the Prime Minister announced an investment of an additional \$1.5 B for the Rapid Housing Initiative (RHI) to fund the creation of new permanent affordable housing across Canada. \$500 M was allocated to 30 pre-determined municipalities under the Cities Stream and \$1 B allocated under the Project Stream for eligible applications that were not fully funded during the first round.

Prior to the RHI there were two primary sources of funds to support the development of affordable housing in Ontario. In May 2018, the Federal Government released the National Housing Strategy series of programs including the Co-Investment Fund, and in May 2019, the Ontario Priorities Housing Initiative and Canada-Ontario Community Housing Initiative were announced. The RHI is a much needed and welcome addition to these programs. The combination of rounds of funding have provided the City of

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Hamilton with the potential of creating a minimum of 95 new affordable housing units (46 RHI Round I and 49 RHI Round II) on to the existing limited stock.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Hamilton has an undersupply of affordable rental housing units. To address its housing crisis, Council endorsed a 10-Year Housing and Homelessness Action Plan with the first outcome area to increase the supply of affordable housing. The City is currently falling below its targets for development of new units. The second round of Rapid Housing Initiative presents an opportunity towards achieving a minimum of 49 units of the targeted 350 units under the Housing and Homelessness Action Plan for the year 2021/22.

This new investment will create good jobs in the housing and construction sector for City residents, grow the middle class, and build back stronger communities, while getting us closer to our goal of ending chronic homelessness in Hamilton.

**RELEVANT CONSULTATION**

The Legal Services Division was consulted on the RHI Contribution Agreement specifically on the necessary requirements for the second round of funding and the comments addressed in the above Legal Implications section of this Report.

The Planning and Economic Development Department was consulted on planning approvals status for recommended projects and timelines required to complete various land use planning and Building processes. Building staff have and continue to assist with in-depth zoning reviews of all recommended projects to ensure compliance with existing zoning.

Since the beginning of the pandemic Housing staff have consulted with individual affordable housing developers and community partners with respect to projects to address ongoing vulnerabilities and local priorities in the housing system. Staff continue to engage with these partners and providers with respect to the ability of their proposed projects to meet the RHI requirements.

Staff continue to engage with the Hamilton is Home coalition which has collectively created a large portfolio of projects representing numerous local and federal priorities.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

On June 30, 2021, the Federal Government announced the second round of the Rapid Housing Initiative. This is a follow up on the previous announcement made on October 27, 2020 and reported in Report HSC20056.



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The second round of RHI has allocated the City of Hamilton \$13 M under the Cities Stream to fund the construction of a minimum of 49 new permanent affordable housing units. The funding provided under the RHI is a capital contribution. It does not need to be repaid provided the terms of the agreement are met.

City of Hamilton is required to propose projects for their allocation through CMHC's online portal for review and approval by CMHC by August 31, 2021. Review of projects will take place within 45 days following the close of the application window. Once projects are approved, they will be included in the contribution agreement. Funding will flow directly to municipalities following the execution of a contribution agreement. In addition to this specific allocation, Hamilton proposals may also compete for a portion of the \$500 M available nationwide under the Projects Stream.

#### A. Rapid Housing Initiative Program Requirements

While the parameters of RHI Round II are largely the same as Round I, the changes the program requirements are provided in Appendix "A" to Report HSC20056(a)

The related Project Affordability Requirements, People and Population Targeted by RHI funding, Types of Projects to be Funded, Eligible Expenses and Eligible Property Types for the purpose of RHI funding are listed in Appendix "B" to Report HSC20056(a).

#### B. Rapid Housing Initiative Challenges and Limitations

The most notable aspect of the RHI is the required completion timeframes. As such, the City prioritization of projects is first and foremost based on their ability to meet the required timeframes. CMHC has indicated that if a municipality does not think it can deliver within the allotted timelines, it can opt out of the Initiative. In such cases, the allocation will be reallocated to other municipalities within the Cities Stream or in the Project Stream.

Staff must submit an executed RHI agreement that includes the City's proposed projects to receive a portion of the \$13 M allocation by August 31, 2021. As per the notification of allocation received on June 30, 2021, a minimum of 49 units are to be achieved within the allotted amount as noted in Appendix "A" to Report HSC20056(a).

The typical development process from initial concept to occupancy can take 5 years, with traditional construction alone being 18-months. The 12-month RHI completion deadline therefore focuses on adaption and re-use – converting non-residential and unhabitable residential space to new affordable housing units. Projects that require a rezoning or complex site plan approval will not be able to meet the RHI timeline. Projects that require a record of site condition will not likely be able to meet the

**SUBJECT: Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide) - Page 7 of 8**

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timelines. Projects that require a minor variance and/or minor site plan approval could possibly meet the timeline.

The only form of new construction permitted under the program is modular construction, which offers a number of benefits compared to traditional building practices. Following discussions with Planning and Building staff, even the shorter modular construction timeframe does not allow for any significant planning approvals to be completed within the required RHI timeframes. Thus, projects requiring an Official Plan Amendment, Complex Rezoning, or Major Site Plan Application cannot be included in the proposed projects.

The shorter time required for modular construction is still insufficient to ensure completion on time unless no significant planning processes are required, a contract is signed, and construction of the modular components is underway. COVID-19 has also slowed construction and increased uncertainty by constraining supplies of both materials and skilled tradespeople. To ensure completion on time modular projects must therefore be in receipt of or ready to receive a building permit.

Staff continue to explore potential opportunities for modular construction projects that can be funded through the RHI. However, it is staff's preference to only support modular projects which do not require significant planning approvals and that have been reasonably advanced, and only through the Projects Stream which is unallocated and therefore does not risk the City's \$13 M allocation.

### C. City Criteria and Priorities

The most challenging requirement of the RHI is the completion deadline. The consequences of not meeting the deadline are the loss of the investment in Hamilton and the requirement for the City to repay CMHC for funds previously advanced. Thus, projects selected Cities Stream must first and foremost demonstrate a high level of certainty that they will be completed on time. This factor alone severely constrains the number of potential projects.

All units created through the RHI must serve and be affordable to specific priority populations who are in severe housing need or experiencing or at high risk of homelessness. These requirements can be met while addressing and responding to identified community needs in local services and supports by requiring that tenants for the new units be on the local By Name List (BNL) for people experiencing homelessness and the Access to Housing Waitlist. A recommendation has been included in this report to provide housing subsidies to enable affordability for City residents.

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These priority population requirements align with local priorities identified through ongoing cross-sectoral collaboration and consultation. Local priority populations include, but are not limited to Indigenous peoples, women, and people experiencing mental health and addictions related issues.

**D. Project Overview**

To date housing staff have identified several projects that seem to meet all project and funding requirements, though additional review is needed before they can be recommended.

Staff have opted not to make a call for applications and will consider eligible applications submitted in both Cities Stream and Projects Stream (as determined by CMHC) of RHI Round I. Staff continue to work to minimize financial risk to the City and the risk of leaving funds on the table by only recommending projects for which there is a high level of certainty of completion within the required timelines.

Staff are optimistic that by offsetting some of the construction costs and exempting parkland dedication fees, the goal of achieving the minimum of 49 units required for Round II of RHI is achievable. Staff will report back with details of projects identified for Round II funding post-August 31, 2021.

**ALTERNATIVES FOR CONSIDERATION - None**

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report HSC20056(a): Letter from CMHC - Priority Allocation for Your Municipality from the Rapid Housing Initiative

Appendix “B” to Report HSC20056(a): Rapid Housing Initiative (RHI) Questions and Answers for Municipalities Under Cities Stream



June 30, 2021

Janette Smith  
City of Hamilton  
City Hall  
71 Main Street West, 2nd Floor  
Hamilton, Ontario  
L8P 4Y5

Dear Mrs. Smith,

**RE: Priority Allocation for Your Municipality from the Rapid Housing Initiative**

I am pleased to inform you that your municipality has been identified for immediate funding to create new permanent affordable housing under the Rapid Housing Initiative (RHI), for which additional funding was announced in Budget 2021.

Through Budget 2021, the Government of Canada is investing an additional \$1.5 billion for the Rapid Housing Initiative (RHI). The additional funding will be divided into two streams as follows:

- \$500 million allocated to 30 pre-determined municipalities (Cities Stream), and
- \$1 billion to be allocated under the Projects Stream for eligible applications that were not (fully) funded during the first round

As part of the Cities Stream funding, your municipality has been identified for funding of \$12,945,935 to create a minimum of 49 units of new permanent affordable housing. Please keep this allocation confidential and do not release it publicly until a joint announcement had been made with your Municipality and our Minister.

While the parameters for RHI are largely the same, CMHC received feedback from stakeholders and we listened. I would like to bring the following changes to your attention:

- Municipalities in the Cities Stream will have until August 31, 2021 to submit their proposed projects through CMHC's online platform. This doubles the amount of time for due diligence by municipalities as compared to the first round of RHI. Proposing projects through CMHC's online platform for review and inclusion in the agreement will replace the separate Investment Plan and will help streamline processes.
- Funding will be transferred to your municipality in full upon the successful execution of an RHI agreement that includes your proposed projects, subject to CMHC approval. The application window opens today and CMHC will aim to review all proposed projects and execute an agreement to flow funding within 45 days of the submission deadline.
- While projects will still be required to be completed within 12 months, projects will be able to employ additional forms of new construction to deliver housing within the timeframe (not limited to modular).
- At least 25 per cent of RHI funding will go towards women-focused housing projects, including under the Cities Stream. As well, CMHC continues to ask that municipalities work with Indigenous-led organizations to target 15 per cent of funding for urban Indigenous peoples. We also ask that you take a community benefits approach.

If your municipality submitted an eligible application under the Projects Stream in the first round of RHI but was not selected, you will be able to revise and resubmit this application through CMHC's online portal.

Further details regarding updated RHI criteria, timelines, and process to submit your proposed projects for the Cities Stream or, if applicable, revise your submission to the Projects Stream, will be shared in the coming days. As immediate next steps, CMHC will be hosting a RHI Webinar on July 6 for all eligible applicants and multilateral calls on July 7 with all municipalities under the Cities Stream for which invitations will be sent shortly. Once you receive these invitations, I would ask that you immediately forward them to the key contact(s) on your team that will be leading the implementation of your RHI allocation. I understand this is very short notice; however, these events will provide important information to help coordinate with your municipality in rapidly delivering housing to the most vulnerable in your community.

In the cover email accompanying this letter, I have included important information for you and your team. I ask that you please ensure your key contact(s) connect with Glenn Furlong at [gfurlong@cmhc-schl.gc.ca](mailto:gfurlong@cmhc-schl.gc.ca) as soon as possible and copy [GovernmentRelationsGouvernementales@cmhc-schl.gc.ca](mailto:GovernmentRelationsGouvernementales@cmhc-schl.gc.ca) so we can start moving the process forward.

Partnerships are the cornerstone of the National Housing Strategy and contribute to its success. I was pleased that other orders of government provided financial support for projects under the first round of RHI. The results achieved would not have been possible without the support of the provincial, territorial and municipal governments as well as Indigenous governing bodies. I look forward to continued collaboration between all orders of government.

Congratulations on being selected for this important initiative. We look forward to working with you to help address urgent housing needs of people and populations who are vulnerable.

Yours Sincerely,



Pam Hine  
Vice-President, Partnerships and Promotions  
Client Solutions

CC  
Glenn Furlong  
Craig Mitchell

**RAPID HOUSING INITIATIVE (RHI)  
QUESTIONS AND ANSWERS  
FOR MUNICIPALITIES UNDER THE CITIES STREAM**

**Q1.** Is the allocation provided to municipalities under the Cities Stream a forgivable loan? Does it need to be repaid?

**A1.** The funding provided under the RHI is a capital contribution. It does not need to be repaid provided the terms of the agreement are met.

**Q2.** How long will it take to receive funding under each individual funding stream?

**A2.** Municipalities selected under the Cities Stream have been informed of their allocation and minimum expected number of units. By August 31<sup>st</sup> 2021, Municipalities will propose projects for their allocation through CMHC's online portal for review and approval by CMHC (you can access the Applicant Guide [here](#)). Review of projects will take place within 45 days following the close of the application window. Once projects are approved, they will be included in the contribution agreement. Funding will flow directly to municipalities following the execution of a contribution agreement.

**Q3.** What are the affordability requirements of RHI?

**A3.** All units must serve and be affordable (household is paying less than 30% of gross income on housing costs or the shelter component of any provincial income assistance program as an equivalent) to targeted people and populations who are vulnerable and who are also, or otherwise would be, in severe housing need or people experiencing or at high risk of homelessness as described below. Affordability must be maintained for a minimum of 20 years. The Municipality will be required to confirm, through an attestation, that all units serve the intended targeted population. CMHC may require incremental validation throughout the 20-year affordability period as needed.

A household in severe housing need is a subset of core housing need households that pays 50% or more for their current dwelling. A household is said to be in core housing need if its housing falls below at least one of the adequacy, affordability or suitability standards and it would have to spend 30% or more of its total before tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards).

Homelessness is described as the situation of an individual, family or community without stable, safe, permanent, appropriate housing, or the immediate prospect, means and ability of acquiring it. Populations at imminent risk of homelessness are defined as individuals or families whose current housing situation will end in the near future (for example, within 2 months) and for whom no subsequent residence has been established.

A Municipality who has already adopted its own definitions for 'severe core housing need', 'homelessness' or at 'risk of homelessness' may, with approval of CMHC, apply such definitions.

**Q4.** Who are the people and populations who are vulnerable targeted by RHI?

**A4.**

- Women and children fleeing domestic violence;
- Seniors
- Young adults;
- Indigenous peoples;
- People with disabilities;
- People dealing with mental health and addiction issues;
- Veterans;
- LGBTQ2+;
- Racialized groups;
- Black Canadians;
- Recent immigrants or refugees; and
- Homeless people or those at risk of homelessness.

Overall, 25% of funding will be used to create projects or units targeting women and/or women and their children to ensure they are appropriately housed. As well, CMHC continues to ask that municipalities work with Indigenous-led organizations to target 15 per cent of funding for urban Indigenous peoples.

**Q5.** How can my city show that 25% of funding is creating projects targeting woman and/or women and their children?

**A5.** CMHC will measure this 25% requirement on a portfolio basis by calculating the percentage of units targeting women and applying that same percentage to the total allocation.

Units are considered to be targeting women and/or women and their children if they are:  
1) specifically dedicated to women and/or women and their children in that the units are only available to women and/or women and their children. (ex. Second stage housing); or  
2) either committed to women and/or women and their children or that are intended for women and/or women and their children but will not remain vacant if not rented to women and/or women and their children. Cities can make this commitment and demonstrate its feasibility based on historical data or on waitlist demographic data.

For the purpose of their portal applications, Cities are expected to submit the number of units targeting women and/or women and their children in each project and reasonably attempt to maintain this distribution. Cities will be permitted to redistribute these units among the buildings in the portfolio, provided they are maintaining the total number of units agreed to.

**Q6.** What types of projects will be funded?

**A6.**

*New Construction:*

- Support the new construction of a multi-unit rental projects, which includes the acquisition of the land. Traditional construction methods or modular will be accepted if the units can be delivered in 12 months.

*Conversions/Rehabilitations:*

- Acquisition of land and buildings for the purpose of conversion of non-residential to affordable multi-residential.
- Acquisition of land and buildings in disrepair or abandoned for the rehabilitation to affordable multi-residential where rehabilitation of units is defined as units that where in disrepair and/or abandoned and in both cases had been inhabitable and lost to the housing stock.
- Properties being acquired for the purpose of rehabilitating units that would otherwise be lost to the housing stock due to their state of disrepair must be vacant at the time of application in order to be considered for RHI funding.
- Renovictions and/or any other circumstance involving the eviction of existing tenants are not eligible under RHI.

Construction must be completed within 12 months of Agreement. For clarity, construction, conversion and rehabilitation costs are included in addition to the acquisition of land and buildings.

**Q7.** What other expenses are eligible under RHI?

**A7.** Costs related to the pre-development, pre-construction (e.g. environmental site assessments, cost consultant reports, permits, architectural or engineering reports, legal/closing costs related to acquisition of land and buildings) will be eligible as part of an application to develop permanent affordable housing. RHI funding cannot be used to cover operational expenses. Eligible costs will be considered from October 27, 2020 onward.

Expenses listed above are only eligible if they form part of the construction costs of units eligible under RHI. CMHC will not fund costs related to non-residential space. Costs related to infrastructure must be for expenses within the boundaries of the project land. Costs outside of the project land are not eligible for RHI.

**Q8.** If a municipality has been selected to receive funding but does not think it can deliver within the allotted timelines, can it opt out of the Initiative?

**A8.** Yes, if a municipality does not wish to receive its allocation under the Cities Stream, it can opt out of the initiative. In such cases, the allocation will be reallocated to other municipalities within the Cities Stream or in the Project Stream.

**Q9.** How were the municipalities and funding allocations determined for the Cities Stream?



**A9.** Cities are at the front line of the COVID-19 pandemic and the housing crisis. Given the successful approach to deliver funding directly to municipalities during the first round of the RHI, the number of cities allocated funding was expanded from 15 to 30 for the second round. The top 26 municipalities were selected based on highest number of renters in severe housing need according to 2016 Census data, and Whitehorse, Yellowknife, Iqaluit and St. John's were added for regional coverage. The allocation methodology provides each municipality with a base of \$5 million to ensure sufficient resources to create at least one impactful project. The remaining funding was allocated to the top 26 municipalities according to their level of severe housing need and indexed to the average cost per unit for each city to account for varying market realities across the country. As a result of the \$5 million base, removing the PIT count and 15 additional municipalities, the allocation for RHI 1 municipalities is different under RHI 2.

**Q10.** How were the per unit funding allocations determined for the Cities Stream?

**A10.** CMHC cost per unit estimates were based on the typical cost for a supportive housing unit in Canada (\$350,000) weighted according to the relative observed per-door-cost in local markets from CMHC's administrative data and Federation of Canadian Municipalities data. This was used as guideline to set targets. CMHC is aware of the current pressure caused by rising construction costs and that there may be unique circumstances resulting in higher per unit costs. Municipalities are responsible for developing and submitting estimates for their projects and are encouraged to factor in any added considerations such as potential cost increases, and contingencies when submitting applications. Municipalities are also encouraged to engage early with their City Lead where available opportunities for projects do not align with the expected number of units.

**Q11.** What if a Municipality does not deliver or manage housing?

**A11.** Municipalities can appoint intermediaries (non-profits or government entities) who can own and/or manage the projects. However, Municipalities are responsible for the ultimate outcomes of RHI and will be the only signatory to the Contribution Agreement.

Each Municipality will have a CMHC team dedicated to working through the RHI process with them and can work with you to identify projects that are suitable for RHI.

**Q12.** Are there changes to the program design from the first round of RHI?

**A12.** The following flexibilities were introduced to address feedback and to maximize the impact of RHI.

- Additional forms of new construction beyond modular if units can be delivered within 12 months.
- Non-profits will now have an opportunity to demonstrate they have the financial capacity to support the viability of units without government subsidy (self-funded).
- Cities will have a longer time to submit projects (60 days instead of 30); and,
- Project delivery timelines adjusted for projects located in the North and special access communities (e.g., up to 18-months delivery). Extensions continue to be offered for projects on a case-by-case basis to accommodate reasonable barriers in delivery.

**Q13.** What are eligible property types for the purpose of RHI?

**A13.** Eligible Property types include:

- Standard rentals
- Mixed use is eligible with the caveat that CMHC will not fund non-residential costs.
- Transitional housing provided tenancy is for at least 3 months at a time.
- Permanent supportive housing
- Single Room Occupancy (SROs)
- Seniors housing that requires light to no care such as Independent Senior's living

Non-eligible property types include:

- Shelters
- Student housing
- Equity Co-Ops
- Homeownership or Mixed-Tenure
- Seniors with a primary focus on delivery of healthcare (e.g. facility requires specific licensing)
- Permanent residential properties being offered as temporary accommodations (rental properties, AirBnB's)

**Q14.** What are the energy efficiency and accessibility requirements the Cities Stream under RHI?

**A14.** New construction projects are expected to meet a minimum energy efficiency of 5 per cent or more above the energy efficiency standards as set out in the 2015 National Energy Code for Buildings (NECB) or meet the local/regional standard, whichever is higher.

New construction projects must exceed the accessibility requirements of their jurisdiction by providing an additional 5% of accessible units above the local requirements.

Conversions/rehabilitations are not required to meet a minimum requirement above code for both energy efficiency and accessibility.

CMHC will not require government entities to provide proof of exceeding the energy efficiency or accessibility requirements.

**Q15.** Can a Municipality apply for additional funding under the Projects Stream?


**A15.** Municipalities will not be permitted to apply for more projects that can be funded by their allocation as additional projects cannot be submitted for consideration through the Projects Stream (closed application window). However, Municipalities that have existing projects with "on hold" statuses in the Projects Stream, will be permitted to select the option that those projects now be funded through their allocations.

Municipalities with unfunded projects under the Projects Stream can fund these projects under their Cities Stream funding or leave them for consideration under the Projects Stream. Municipalities that choose to fund projects from their Projects Stream proposals using their Cities

Stream allocation can choose to replace their Projects Stream projects with other projects. Cities will be allowed to replace no more than the number of projects that were on hold from the first round of RHI. Note that these projects will subject to prioritization and we invite you to look at the Product Highlight Sheet for additional information and work with your Cities Team to best position that application for success.



**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Government and Community Relations**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Morgan Stahl (905) 546-2424 Ext. 4524
<b>SUBMITTED BY:</b>	Morgan Stahl Director, Government and Community Relations City Manager's Office
<b>SIGNATURE:</b>	

## RECOMMENDATION

- (a) That Council approve the set of Hamilton priorities, as outlined in report (CM21010), in advance of the pending Federal election and that Council direct staff to provide relevant supplementary materials to Council that will support election related meetings with candidates and campaign teams.

The proposed priorities are as follows:

1. **Supportive Housing & Tackling Poverty** – addressing the economic impact of COVID-19 on vulnerable populations by through supports for homelessness and an affordable housing strategy
2. **Impacts of Climate Change** – disaster mitigation and adaption support for areas either impacted or at risk of being impacted by the effects of Climate Change
3. **Strong Economic Recovery** – investment in critical infrastructure to support economic development and continued support for workers and businesses recovering from COVID-19

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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4. **Equity, Diversity and Inclusion** – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, and Indigenous communities

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial/Staffing/Legal: None.

**HISTORICAL BACKGROUND**

There are indications of an approaching Federal Election. As a result, staff have prepared a list of election priorities that support Council's term of Council priorities and the Mayor's Economic Recovery Task Force. The recommended priorities are also consistent with priorities outlined by the Big City Mayor's Caucus (out of the Federation of Canadian Municipalities).

Presently, FCM has not publicly outlined their 2021 federal election priorities.

Standard practice has been for Council to develop priorities in advance of provincial or federal elections to ensure that local candidates and relevant party policy teams understand Hamilton's priorities., The priorities also provide important information for the new incoming (or re-elected) party to develop their mandate and funding decisions based on election commitments that have happened during consultation at the local level.

In the past, prior to a Federal election being called, staff prepared election priority list documents in advance of candidate meetings in order to ensure that candidates and prospective members of a new government understand what the City's priorities are and why those priorities have been selected. This is consistent with previous council motions, such as Hamilton's Federal Election Priorities (CM19007) (City Wide) which was brought to Council September 11, 2019 ahead of the October 2019 Federal Election.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

None.

**RELEVANT CONSULTATION**

In order to prepare this report, staff consulted with the Senior Leadership Team. Previous council reports such as Hamilton's Federal Election Priorities (CM19007), Term of Council Priorities and other forms of Council direction were also used as a guide.

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## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Given that COVID-19 and the on-going health crisis occurred shortly after this minority government was sworn in, many of the 2019 priorities remain relevant, as the economy has not yet made a full recovery. The City's priorities shifted quickly as the health crisis became the most important priority. As such, staff used previous Council adopted priorities (CM19007) and (CM19004) as foundational documents in order to adapt priorities for the upcoming election.

Following Council's approval of a priority list, staff will develop communications materials that will serve as support for the City in the lead up to candidate meetings. It will be supplemented by a summary document and more comprehensive materials will also be developed to inform the varying policy teams for each party.

## **ALTERNATIVES FOR CONSIDERATION**

None.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

### **Our People and Performance**

Hamiltonians have a high level of trust and confidence in their City government.